



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:30 a.m.  
A quorum present—38:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Excused: Senators Bullard and Richter

## PRAYER

The following prayer was offered by Rev. Dr. John R. Ragsdale, Presbytery of St. Augustine, Jacksonville:

O God, we come before you this morning as servants of the people of this state. In this extraordinary act, we carve out time not to speak to constituents or to one another, but to speak to you and to listen.

Our minds and hearts are weighed by many things, yet in this moment we focus on one thing. We come, of course, with our own agendas, but daring to glimpse your agenda. We grapple and negotiate over scarce resources, mindful that you are the creator of all we have, and the provider of all we truly need.

Make us good stewards of your creation. We face tough choices in this session, but we do not do so alone. Be present to us then, so that when we depart this chamber, we will know that we have done our best for you and for all the citizens of this state.

And finally, but not least of all, we wonder and perhaps worry about family, friends and colleagues from whom we are apart, even as we rest confident they are in your care and held in your arms. For that and for so much more, we are truly grateful. Amen.

## PLEDGE

Senate Pages Rejerio Burton of Ocala; Austin Toro of Tallahassee; Gregory Hyppolite of Miami; Alexandria Hall of Monticello; and Lindsay Taggart of Lutz, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Mark Moore of Tallahassee, sponsored by Senator Montford, as doctor of the day. Dr. Moore specializes in Anesthesiology.

## ADOPTION OF RESOLUTIONS

On motion by Senator Joyner—

By Senator Joyner—

**SR 540**—A resolution recognizing February 2011 as “Black History Month” in Florida.

WHEREAS, our nation has celebrated Black History during the month of February since 1926 when Carter G. Woodson established Negro History Week, and the theme for this year’s celebration is “African Americans and the Civil War,” and

WHEREAS, long ago, approximately 12 million African men, women, and children were forced to enter ships for lives of slavery in the Western Hemisphere, 10 million of whom survived the Middle Passage to arrive in America, and

WHEREAS, the Civil War erupted because the ideals upon which this country was founded are in direct conflict with slavery, resulting in the ratification of the 13th Amendment, abolishing slavery in the United States of America, and

WHEREAS, the Civil Rights Movement of the 20th century began in an effort to correct the failures of Reconstruction and erase the remnants of slavery still evident in Jim Crow laws, in continued segregation in nearly every aspect of daily life, and in the persistence of second-class citizenship for African Americans, and

WHEREAS, as a testament of strength throughout these struggles, African Americans, such as Harriet Tubman, Sojourner Truth, Frederick Douglass, W.E.B. DuBois, Booker T. Washington, George Washington Carver, Carter G. Woodson, Malcolm X., Thurgood Marshall, Reverend Dr. Martin Luther King, Jr., Fannie Lou Hamer, Shirley Chisholm, Barbara Jordan, and Dorothy Height, have contributed to the political and social growth of American society, and

WHEREAS, through the contributions of African American musicians and writers, such as Louis Armstrong, Count Basie, Duke Ellington, Billie Holiday, Charlie Parker, Ella Fitzgerald, Dizzy Gillespie, Leon-tyne Price, Marian Anderson, Andre Watts, James DePreist, Phyllis Wheatley, Langston Hughes, James Baldwin, Richard Wright, Alex Haley, Maya Angelou, Alice Walker, Gwendolyn Brooks, and Toni Morrison, the culture of the United States of America has been vitally enriched, and

WHEREAS, African American sports figures, such as Jesse Owens, Arthur Ashe, Muhammad Ali, Robert “Bullet Bob” Hayes, a Florida native who is the only athlete to earn both an Olympic Gold Medal and an NFL Super Bowl Ring, Lee Roy Selmon, Venus Williams, and Serena Williams, have demonstrated their ability to be role models on and off

the field and in and out of the ring as they stood up for their rights and beliefs, and

WHEREAS, the fields of medicine, science, and technology have all been advanced by the contributions of such African American men and women as Dr. Charles Drew, Dr. Daniel Hale Williams, Garrett Morgan, George Washington Carver, Dr. Mae C. Jemison, and Dr. Benjamin Carson, and

WHEREAS, African Americans who are native to Florida, such as Zora Neale Hurston, Charles Kenzie Steele, Sr., Jesse K. McCrary, Jr., Joseph E. Lee, Asa Philip Randolph, and Mary McLeod Bethune, have proudly represented our state as they contributed to the history and culture of the United States of America, and

WHEREAS, it is important to celebrate the many achievements of African Americans in an effort to offer each American a broader perspective of United States history and an appreciation for the diversity that makes this country strong, and

WHEREAS, February is the birth month of both Abraham Lincoln and Frederick Douglass, two of the leaders in the movement to abolish slavery, and has been recognized at the local, state, and national levels as an appropriate month to commemorate the contributions of African Americans to our society, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That February 2011 is recognized as “Black History Month” in the State of Florida, and the Florida Senate calls upon the people of this state to observe Black History Month through programs, ceremonies, and activities celebrating the historical and cultural contributions of African Americans.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 540** was read the second time in full and adopted.

At the request of Senator Hill—

By Senator Hill—

**SR 1298**—A resolution recognizing March 17, 2011, as “Chi Chapter Day” in recognition of the organization’s steadfast commitment to community service.

WHEREAS, the Chi Chapter was chartered on January 10, 1921, on the campus of Yale University in New Haven, Connecticut, under the direction of Grand Basileus J. Alston Atkins, and

WHEREAS, in 1960, the Theta Phi chapter petitioned for the establishment of a Chi Chapter on the campus of Edward Waters College, which was granted on March 20, 1961, and

WHEREAS, from 1961 to the present, the Chi Chapter has flourished, growing from its 10 charter members and initiating a number of outstanding Floridians, including the late Brother Roy Mitchell, the first African-American administrator at the University of Florida, Brother Nathaniel Glover, the former sheriff of Jacksonville who was recently selected as the 29th president of Edward Waters College, and Brother Edgar Mathis, Sr., a former Seventh District representative of Omega Psi Phi, and

WHEREAS, the past and present members of the soulful Chi Chapter are committed to community service and to improving the quality of life of all Floridians, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That March 17, 2011, is recognized as “Chi Chapter Day” in recognition of the organization’s steadfast commitment to community service.

—**SR 1298** was introduced, read and adopted by publication.

## BILLS ON THIRD READING

**CS for CS for SB 736**—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; re-

vising provisions relating to the evaluation of instructional personnel and school administrators; requiring the Department of Education to approve each school district’s instructional personnel and school administrator evaluation systems; requiring reporting by the Commissioner of Education relating to the evaluation systems; providing requirements and revising procedures and criteria for the evaluation systems; requiring the commissioner to approve or select and the State Board of Education to adopt formulas for school districts to use in measuring student learning growth; requiring the state board to adopt rules relating to standards and measures for implementation of the evaluation systems; amending s. 1008.22, F.S.; requiring school districts to administer assessments for each course offered in the district; amending s. 1012.22, F.S.; revising provisions relating to instructional personnel and school administrator compensation and salary schedules; providing requirements for a performance salary schedule, a grandfathered salary schedule, adjustments, and supplements; revising criteria for the promotion of instructional personnel; creating s. 1012.335, F.S.; providing employment criteria for instructional personnel hired on or after July 1, 2011; providing definitions; providing grounds for suspension or dismissal; requiring rules to define the term “just cause”; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to comply with provisions relating to compensation and salary schedules, workforce reductions, contracts with instructional personnel hired on or after July 1, 2011, and certain requirements for performance evaluations; amending s. 1003.621, F.S.; requiring academically high-performing school districts to comply with additional requirements for personnel; amending s. 1006.09, F.S.; conforming provisions to changes made by the act; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing reporting requirements relating to instructional personnel and school administrator performance; amending s. 1012.27, F.S.; revising the criteria for transferring a teacher; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; revising just cause grounds for dismissal; deleting provisions to conform to changes made by the act; revising the criteria for renewing a professional service contract; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent and findings to improve student achievement and teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing an exemption from requirements for performance evaluation systems and compensation and salary schedules for certain school districts; providing that specified provisions of law do not apply to rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application relating to contracts for instructional personnel or school administrators; providing for application of specified provisions of the act; providing for severability; providing effective dates.

—was read the third time by title.

Senator Altman moved the following amendment:

**Amendment 1 (675258)**—Delete line 416 and insert: *attendance record, eligibility for free lunch, disability status, socioeconomic status, or status as an English*

## MOTION

On motion by Senator Altman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Altman moved the following substitute amendment which failed to receive the required two-thirds vote:

**Amendment 2 (911694)**—Delete line 416 and insert: *attendance record, eligibility for free and reduced lunch, disability status, socioeconomic status, or status as an English*

The question recurred on **Amendment 1** which failed to receive the required two-thirds vote.

On motions by Senator Wise, **CS for CS for SB 736** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—26

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Simmons
Bennett	Garcia	Siplin
Bogdanoff	Gardiner	Storms
Dean	Hays	Thrasher
Detert	Latvala	Wise
Diaz de la Portilla	Lynn	

Nays—12

Braynon	Joyner	Ring
Dockery	Margolis	Sachs
Hill	Montford	Smith
Jones	Rich	Sobel

## SPECIAL GUESTS

President Haridopolos introduced Chief Financial Officer Jeff Atwater, former Senate President, who was present in the chamber.

## SPECIAL ORDER CALENDAR

Consideration of **CS for SB 142** was deferred.

By Senator Bogdanoff—

**CS for SJR 958**—A joint resolution proposing an amendment to Section 1 of Article VII and the creation of Section 19 of Article VII and Section 32 of Article XII of the State Constitution to replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.

—was read the second time by title.

## SENATOR JONES PRESIDING

Senator Margolis moved the following amendment which failed:

**Amendment 1 (138718)**—Delete lines 191 and 192 and insert: *documents authorizing the issuance of bonds by the state; revenues that are used to*

## THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **CS for SJR 958** was placed on the calendar of Bills on Third Reading.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Smith, by two-thirds vote **SB 1874** and **SB 1940** were withdrawn from the committees of reference and further consideration.

## MOTION

On motion by Senator Thrasher, by two-thirds vote **CS for SB 142** remaining on the Special Order Calendar this day was placed on the Special Order Calendar for Tuesday, March 15.

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Thursday, March 10, 2011: **CS for SB 142** and **CS for SJR 958**.

Respectfully submitted,  
*John Thrasher, Chair*

The Committee on Judiciary recommends the following pass: **SB 648**

**The bill was referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Health Regulation recommends the following pass: **SB 548; SB 864**

The Committee on Judiciary recommends the following pass: **SB 228**

**The bills contained in the foregoing reports were referred to the Committee on Budget under the original reference.**

The Committee on Judiciary recommends the following pass: **SB 1142**

**The bill was referred to the Committee on Community Affairs under the original reference.**

The Committee on Regulated Industries recommends the following pass: **SB 746**

The Committee on Transportation recommends the following pass: **SB 608; SB 714**

**The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

The Committee on Transportation recommends the following pass: **SB 758**

**The bill was referred to the Committee on Education Pre-K - 12 under the original reference.**

The Committee on Commerce and Tourism recommends the following pass: **SB 106** with 1 amendment

The Committee on Criminal Justice recommends the following pass: **SB 600; SB 602; SB 604**

The Committee on Higher Education recommends the following pass: **CS for SB 480**

**The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.**

The Committee on Regulated Industries recommends the following pass: **SB 544**

**The bill was referred to the Committee on Higher Education under the original reference.**

The Committee on Criminal Justice recommends the following pass: **SB 104; SB 496; SB 514; SB 664** with 1 amendment

The Committee on Health Regulation recommends the following pass: **SB 702**

**The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

The Committee on Commerce and Tourism recommends the following pass: SB 418; SB 462

The Committee on Judiciary recommends the following pass: SB 410

**The bills contained in the foregoing reports were referred to the Committee on Rules under the original reference.**

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The Committee on Criminal Justice recommends the following pass: SB 464

**The bill was referred to the Committee on Transportation under the original reference.**

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The Committee on Transportation recommends a committee substitute for the following: SB 740

**The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.**

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The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 366

The Committee on Criminal Justice recommends a committee substitute for the following: SB 618

The Committee on Health Regulation recommends committee substitutes for the following: SB 398; SB 490; SB 584

The Committee on Transportation recommends a committee substitute for the following: SB 886

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Budget under the original reference.**

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 138

**The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.**

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The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 364

**The bill with committee substitute attached was referred to the Committee on Commerce and Tourism under the original reference.**

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The Committee on Regulated Industries recommends a committee substitute for the following: SB 650

**The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.**

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The Committee on Regulated Industries recommends a committee substitute for the following: SB 666

**The bill with committee substitute attached was referred to the Committee on Governmental Oversight and Accountability under the original reference.**

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 146

**The bill with committee substitute attached was referred to the Committee on Judiciary under the original reference.**

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The Committee on Regulated Industries recommends the following not pass: SB 288

**The bill was laid on the table.**

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By Senator Lynn—

**SB 1626**—A bill to be entitled An act relating to television picture tubes; repealing s. 817.559, F.S., relating to television picture tube labeling requirements; providing an effective date.

—was referred to the Committee on Commerce and Tourism.

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**SB 1628**—Withdrawn prior to introduction.

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By Senator Lynn—

**SB 1630**—A bill to be entitled An act relating to traffic offenses; repealing s. 316.2024, F.S., which prohibits a motor vehicle coasting on a downgrade; providing an effective date.

—was referred to the Committee on Transportation.

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By Senator Lynn—

**SB 1632**—A bill to be entitled An act relating to the Florida Industrial Development Corporation; repealing provisions of ch. 289, F.S., relating to the Florida Industrial Development Corporation; amending ss. 212.08, 220.183, 220.62, 440.491, and 658.67, F.S.; deleting references to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Lynn—

**SB 1634**—A bill to be entitled An act relating to water vending machines; repealing s. 500.459, F.S., relating to the regulation of water vending machines and the permitting of water vending machine operators; amending s. 500.511, F.S.; deleting provisions for the deposit of operator permitting fees, the enforcement of the state's water vending machine regulations, penalties, and the preemption of county and municipal water vending machine regulations, to conform; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Commerce and Tourism.

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By Senator Bennett—

**SB 1636**—A bill to be entitled An act relating to the protection of farm animals; defining terms; prohibiting a farm owner or operator from tethering or confining certain specified covered farm animals in a specified manner; providing exceptions; authorizing the Department of Agriculture and Consumer Services or the Attorney General to bring a civil action against a farm owner or operator to restrain any act or practice that illegally tethers or confines a covered farm animal; rejecting certain defenses against civil actions; providing that the act is in addition to any other law protecting animal welfare; providing for staggered dates of application to specified animals; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; Judiciary; and Budget.

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By Senator Bennett—

**SB 1638**—A bill to be entitled An act relating to stimulating special event tourism and job creation; amending s. 212.20, F.S.; providing for the transfer of certain sales tax revenues from the General Revenue Fund to the Revenue Sharing Trust Fund for Counties; creating s. 218.213, F.S.; authorizing a county to designate certain time periods to hold special events designed to enhance tourism; authorizing a specified distribution from sales tax proceeds when an increase in sales tax collections is realized over the previous year by a county during the same designated time period; providing for a specified adjustment of the aggregate amount to be transferred from the General Revenue Fund to the Revenue Sharing Trust Fund for Counties; amending s. 218.23, F.S.; providing for a distribution from the Revenue Sharing Trust Fund for Counties to a county eligible for a distribution related to the holding of a special event during a designated time period; requiring a county receiving a distribution to distribute funds to certain units of local government within whose jurisdiction a special event was held during a designated time period; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Bennett—

**SB 1640**—A bill to be entitled An act relating to special assessments for the purchase of renewable energy for a municipality; amending s. 170.01, F.S.; authorizing a municipality to collect special assessments to pay the additional costs to purchase renewable energy for the municipality; providing an effective date.

—was referred to the Committees on Community Affairs; Communications, Energy, and Public Utilities; and Budget.

By Senator Bennett—

**SB 1642**—A bill to be entitled An act relating to economic development; amending s. 288.9602, F.S.; revising legislative findings and declarations of necessity to emphasize the importance of the economic activities in counties and municipalities; providing that the purposes of the Florida Development Finance Corporation Act may be accomplished by legislation implementing constitutional provisions allowing local governments to issue revenue bonds to finance or refinance the cost of certain capital projects and authorizing new and innovative means for the investment of public trust funds; creating s. 366.94, F.S.; authorizing a producer of renewable energy to sell electricity to electricity customers at retail; requiring the Public Service Commission to adopt rules and submit reports to the Legislature; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; Community Affairs; and Budget.

By Senator Latvala—

**SB 1644**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.24, F.S.; specifying that the executive director of the Department of Highway Safety and Motor Vehicles serves at the pleasure of the Governor and Cabinet; authorizing the executive director to establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services; creating a Division of Motorist Services within the department; eliminating the Division of Driver Licenses and the Division of Motor Vehicles; amending s. 288.816, F.S.; requiring the Office of Tourism, Trade, and Economic Development to verify to the department that honorary counsels are entitled to special motor vehicle license plates; amending s. 316.1905, F.S.; providing that certain traffic citations may not be issued or prosecuted unless a law enforcement officer used an electrical, mechanical, or other speed-calculating device that has been tested and approved; amending ss. 316.1957 and 318.15, F.S.; conforming provisions to changes made by the act; amending s. 316.2085, F.S.; providing that license tags for mopeds and motorcycles must be affixed so that the letters and numbers are legible from the rear; specifying that the tags may be displayed horizontally or vertically to the ground so that the

numbers and letters read from left to right or from top to bottom; amending s. 320.01, F.S.; revising the definition of the term “motor vehicle” to include special mobile equipment; amending s. 320.05, F.S.; deleting a provision requiring the department to provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the elimination of the Division of Motor Vehicles within the department; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing that the executive director of the department serves as the executive officer of the Division of Motorist Services; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver’s license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; creating s. 322.1415, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue a specialty driver’s license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver’s licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the United States military; requiring that the design of each specialty driver’s license and identification card be approved by the department; amending s. 322.20, F.S.; conforming provisions to changes made by the act; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency; amending s. 322.21, F.S.; providing for the distribution of funds collected from the specialty driver’s license and identification card fees; conforming provisions to changes made by the act; amending s. 413.012, F.S., relating to a prohibition on disclosing confidential records held by the department; conforming provisions to changes made by the act; reenacting s. 322.17(3), F.S., relating to replacement of a driver’s license or instructional permit, to incorporate the amendments made to s. 322.08, F.S., in a reference thereto; reenacting s. 322.18(2)(d) and (4)(c), F.S., relating to driver’s licenses, to incorporate the amendments made to s. 322.08, F.S., in references thereto; reenacting s. 322.19(4), F.S., relating to change of address or name on a driver’s license, to incorporate the amendments made to s. 322.08, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Latvala—

**SB 1646**—A bill to be entitled An act relating to concealed weapons or firearms licenses; amending s. 790.06, F.S.; providing an exemption from certain restrictions for licensees holding specified county offices; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Tourism; and Community Affairs.

By Senator Margolis—

**SB 1648**—A bill to be entitled An act relating to required instruction in the public schools; amending s. 1003.46, F.S.; requiring each district school board to provide and each high school student to complete specified coursework in human sexuality; defining the term “medically accurate information”; requiring the coursework to be developed by the Department of Education with input from teachers, school administrators, students, parents, and medical professionals; requiring the availability of resource packets containing course content; revising the contents of authorized instruction; authorizing exemption from instruction; amending s. 1002.20, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Storms—

**SB 1650**—A bill to be entitled An act relating to child custody; amending s. 61.13002, F.S.; providing that a parent's activation, deployment, or temporary assignment to military service and the resultant temporary disruption to the child may not be the sole factor in granting a petition for or modification of time-sharing and parental responsibility; providing that a time-sharing and parental responsibility order in effect before a temporary change due to a parent's military service shall automatically be reinstated after a specified period after return and notice by the returning parent; providing an exception; specifying burden of proof for the exception; providing an effective date.

—was referred to the Committees on Judiciary; Military Affairs, Space, and Domestic Security; Children, Families, and Elder Affairs; and Budget.

By Senator Wise—

**SB 1652**—A bill to be entitled An act relating to termination of parental rights; amending s. 39.401, F.S.; providing that a person may not take a child alleged to be dependent into custody except in cases involving an immediate threat to the health or safety of the child; requiring a court order finding probable cause that the child has been abused, neglected, or abandoned, or is suffering from or is in imminent danger of illness or injury as a result of abuse, neglect, or abandonment; amending s. 39.702, F.S.; requiring that a citizen review panel be established in each judicial circuit; deleting a provision that required that the citizen review panel be authorized through an administrative order by the chief judge of the judicial circuit; authorizing a citizen review panel to make recommendations to the court in adjudicatory hearings; amending s. 39.809, F.S.; requiring the court to consider the report and recommended order prepared by the citizen review panel in a hearing or trial on a petition for termination of parental rights; prohibiting continuances from being extended beyond 1 year; providing an exception; providing that hearings or trials involving termination of parental rights be open to the public; providing an exception; requiring that the report and recommended order of the citizen review panel accompany the written order of the court in a termination of parental rights proceeding; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Wise—

**SM 1654**—A memorial to notify the Federal Government of colleges and universities in this state which are authorized to operate educational programs beyond the secondary level.

—was referred to the Committee on Higher Education.

By Senator Wise—

**SB 1656**—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act or a Tier 3 Response to Intervention plan developed by the public school of attendance and consistent with rules of the State Board of Education; allowing a parent to request and receive a scholarship for a student to enroll and attend a private school if the student has a 504 accommodation plan; providing that a student is ineligible for a scholarship if a temporary 504 accommodation plan is valid for 6 months or less or if a Tier 3 Response to Intervention plan is issued for less than 90 days; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued and 90 days after a Tier 3 Response to Intervention plan is developed; providing that a parent may choose to enroll the student in a public school in an adjacent district under certain conditions; providing for scholarship amounts when a student is eligible for scholarship funds under s. 504 of the federal Rehabilitation Act or a Tier 3 Response to Intervention plan; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Detert—

**SB 1658**—A bill to be entitled An act relating to the Long-Term Care Ombudsman Program; amending ss. 400.0060 and 400.0067, F.S.; removing references to onsite administrative assessments and conforming cross-references to changes made by the act; amending s. 400.0061, F.S.; revising legislative intent; amending s. 400.0069, F.S.; providing additional duties of the local long-term care ombudsman councils; amending s. 400.0071, F.S.; revising rules relating to State Long-Term Care Ombudsman Program complaint procedures; repealing s. 400.0074, F.S., relating to a requirement that local ombudsman councils conduct onsite administrative assessments; amending s. 400.0081, F.S.; requiring written consent of a resident of a long-term care facility for release of medical records; repealing s. 400.0089, F.S., relating to data reports regarding complaints about and conditions in long-term care facilities; amending s. 400.19, F.S.; revising conditions under which the Agency for Health Care Administration is required to conduct unannounced onsite facility reviews; amending s. 400.235, F.S.; eliminating the role of the State Long-Term Care Ombudsman Council in evaluating a nursing facility for the Gold Seal Program; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Sobel—

**SB 1660**—A bill to be entitled An act relating to public contracts; providing legislative findings and intent; requiring each entity intending to bid or submit a proposal to contract with the Florida Rail Enterprise or a fixed-guideway transportation system for goods or services related to high-speed or other rail systems to certify whether the entity had any direct involvement in the deportation of any individual to an extermination camp, work camp, concentration camp, prisoner-of-war camp, or any similar camp by whatever name located in Europe during the period from January 1, 1942, through December 31, 1944, and if so, whether the entity has physical possession of records related to the deportations and has provided restitution to identifiable victims; authorizing the entity to offer proof of mitigating circumstances related to acts committed during the wartime period; requiring that the Florida Rail Enterprise and other fixed-guideway transportation system acknowledge receipt of the information when awarding contracts; providing definitions; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Bennett—

**SB 1662**—A bill to be entitled An act relating to pawnbroker and secondhand dealer transactions; amending s. 538.03, F.S.; revising definitions; transferring regulation of secondhand dealers from the Department of Revenue to the Department of Agriculture and Consumer Services; amending s. 538.04, F.S.; revising recordkeeping requirements for secondhand dealer transactions; revising requirements for contents and electronic transfer of secondhand dealer transaction forms; requiring secondhand dealers to transfer certain information to a statewide central database within a specified period; authorizing certain electronic records to be used as evidence under certain circumstances; amending s. 538.05, F.S.; conforming provisions; amending s. 538.06, F.S.; revising the period for which secondhand dealers must maintain transaction records; amending s. 538.09, F.S.; revising registration and renewal fees for secondhand dealers; providing for prior notice of fee adjustments; deleting provisions for the transfer of certain funds; conforming provisions; amending s. 538.11, F.S.; revising powers and duties of the Department of Agriculture and Consumer Services; conforming provisions; amending s. 539.001, F.S.; dividing the Florida Pawnbroking Act into multiple sections; revising registration and renewal fees for pawnbrokers; providing for prior notice of fee adjustments; revising recordkeeping requirements for pawnbrokers; revising requirements for contents and electronic transfer of pawnbroker transaction forms; requiring pawnbrokers to transfer certain information to a statewide central database within a specified period; conforming provisions; creating s. 539.109, F.S.; establishing a statewide central database of

pawnbroker and secondhand dealer transactions; providing for the required elements, design, and infrastructure of the database; requiring the department to contract for the creation and maintenance of the database; limiting the financial and operating interests of certain database contractors; creating an oversight board for the database; providing for membership and duties of the oversight board; prohibiting law enforcement agencies and their agents from being charged fees for accessing or using the database; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

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By Senators Bogdanoff and Gaetz—

**SJR 1664**—A joint resolution proposing an amendment to Section 11 of Article V of the State Constitution to require Senate confirmation of appointments to the office of justice of the Supreme Court.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

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**SJR 1666**—Withdrawn prior to introduction.

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By Senator Ring—

**SB 1668**—A bill to be entitled An act relating to the State Board of Administration; amending s. 215.44, F.S.; requiring the board to establish and maintain the salaries of its officers and employees in a manner consistent with its fiduciary duties; requiring that the Investment Advisory Council initiate a study at specified intervals to evaluate compensation; requiring that the council present the results of such study to the board; authorizing the board to delegate certain authority and duties relating to salaries to the executive director; revising the entities that submit reports to the board; amending s. 215.441, F.S.; removing a requirement that the Governor vote in favor of the selection of the executive director of the board; providing for the creation, operation, and membership of a search committee for the purpose of selecting the executive director; providing requirements for the appointment as executive director; providing for the determination of the executive director's compensation; amending s. 215.442, F.S.; requiring that the executive director present certain information quarterly to the Investment Advisory Council; amending s. 215.444, F.S.; reducing the number of council members and providing for the appointment of such members; expanding prerequisites for membership on the council; providing additional duties of the council; authorizing the council to create subcommittees and direct the executive director to enter into certain contracts; providing that a council member is an officer, employee, or agent of the state for the purpose of sovereign immunity; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

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By Senator Margolis—

**SB 1670**—A bill to be entitled An act relating to tour-guide services; providing that the regulation of tour-guide services in this state is solely the responsibility of the respective counties; amending s. 559.927, F.S.; revising definitions, to conform; amending s. 559.9285, F.S.; deleting references to tour-guide services in provisions relating to the certification of businesses; amending s. 559.9335, F.S.; deleting references to tour-guide services in provisions relating to violations; amending s. 559.937, F.S.; deleting references to tour-guide services in provisions relating to criminal penalties; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

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By Senator Flores—

**SJR 1672**—A joint resolution proposing an amendment to Section 10 of Article V and the creation of Section 32 of Article XII of the State Constitution to increase the vote required to retain a justice or judge in a

judicial office and to provide for the increased vote requirement to apply beginning with retention elections during the 2012 General Election.

—was referred to the Committees on Rules; Judiciary; and Budget.

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By Senator Flores—

**SB 1674**—A bill to be entitled An act relating to domestic violence and stalking; amending s. 741.28, F.S.; redefining the term “domestic violence”; amending s. 784.046, F.S.; removing the terms “stalking” and “aggravated stalking” from the definition of “violence” as it pertains to repeat violence, sexual violence, or dating violence; requiring the clerk of the court to assess a fee for filing a petition for protection against repeat violence; authorizing the court to require the respondent to reimburse the victim the amount of the filing fee; creating s. 784.0485, F.S.; creating a cause of action for an injunction for protection against stalking or cyberstalking; providing that any person who is the victim of stalking or cyberstalking or has reasonable cause to believe that there is a credible threat that he or she is in imminent danger of becoming the victim of any act of stalking or cyberstalking has standing in the circuit court to file a sworn petition for an injunction for protection against stalking or cyberstalking; providing that attorneys are not required to represent the parties; prohibiting a court from issuing mutual orders of protection; providing an exception for issuing separate orders of protection; providing for the venue where the petition for the injunction may be filed; defining terms; providing for the functions and duties of the clerk of the circuit court; specifying the form and content of the petition for injunction for protection against stalking or cyberstalking; providing for the issuance of a temporary injunction ex parte when there is an immediate and present danger of stalking or cyberstalking against the petitioner; requiring that any ex parte temporary injunction be effective for a fixed period not to exceed 15 days; providing for a hearing after notice; providing for the content of the injunction issued for protection from stalking or cyberstalking; specifying the criteria for “reasonable cause” for determining whether the injunction for protection should be issued; providing that the injunction and other relief ordered for the protection of the victim remain in effect until modified or dissolved; authorizing either party to move at any time to modify or dissolve the injunction; requiring the clerk of the circuit court to furnish a copy of the documents to the sheriff; providing the duties and functions of the sheriff's office; requiring the sheriff to assist the victim to execute the orders of the court; creating the Stalking and Cyberstalking Injunction Statewide Verification System within the Department of Law Enforcement; requiring the department to establish, implement, and maintain a statewide communication system capable of electronically transmitting information to and between criminal justice agencies relating to stalking or cyberstalking injunctions issued by the courts throughout the state; authorizing the court to enforce a violation of an injunction for protection against stalking or cyberstalking through a civil or criminal contempt proceeding or the state attorney to prosecute it as a criminal violation; creating s. 784.0487, F.S.; providing remedies for a willful violation of an injunction for protection against stalking or cyberstalking; specifying the grounds that violate the injunction; providing criminal penalties; providing that a person who suffers an injury or loss as a result of a violation of an injunction for protection against stalking or cyberstalking may be awarded economic damages for that injury or loss, including costs and attorney's fees; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Budget.

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By Senator Thrasher—

**SB 1676**—A bill to be entitled An act relating to sovereign immunity; providing legislative findings and intent; amending s. 766.1115, F.S.; providing that specified provisions relating to sovereign immunity for health care providers do not apply to certain affiliation agreements or contracts to provide certain comprehensive health care services; amending s. 768.28, F.S.; expanding the definition of the term “officer, employee, or agent” for purposes of sovereign immunity to include certain health care providers; providing that certain colleges and universities that own or operate a medical school or any of its employees or agents that have agreed in an affiliation agreement to provide patient services as agents of a teaching hospital that is owned or operated by a governmental entity having health care responsibilities, or a not-for-profit entity that operates such facilities as an agent of that govern-

mental entity under a lease, are agents of the state and are immune from certain liability for torts; requiring the contract to provide for indemnification; providing definitions; requiring that each patient, or the patient's legal representative, receive written notice regarding the patient's exclusive remedy for injury or damage suffered; providing that an employee providing patient services is not an employee or agent of the state for purposes of workers' compensation; providing for application; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

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By Senator Wise—

**SB 1678**—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; providing that when a student who is receiving the John M. McKay Scholarship enrolls in a public school or public school program, the term of the student's scholarship ends; providing an exception for students who enter a Department of Juvenile Justice detention center for a period of no more than 21 days; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; and Budget.

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By Senator Storms—

**SB 1680**—A bill to be entitled An act relating to parental or guardian involvement and accountability in public schools; creating s. 1008.347, F.S.; providing a purpose and principles concerning parental or guardian involvement; providing strategies that a parent or guardian may use to support and improve student achievement; requiring that teachers and schools develop information or use existing information to share with parents or guardians; specifying the type of information to be shared; requiring that prekindergarten through grade 3 teachers monitor and assess the quality of parent or guardian involvement for each student; requiring that the teacher mail an evaluation of parental or guardian involvement under certain circumstances; requiring that the State Board of Education adopt rules establishing an appeals process; requiring implementation beginning with the 2012-2013 school year; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Rich—

**SB 1682**—A bill to be entitled An act relating to the Legislature; amending s. 1 of chapter 2010-91, Laws of Florida; requiring the Legislature to enact the maps of the state legislative and congressional districts by a specified date in the year 2012; providing an effective date.

—was referred to the Committees on Reapportionment; Rules; and Budget.

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By Senator Hays—

**SB 1684**—A bill to be entitled An act relating to driver licenses; repealing s. 322.58, F.S., relating to the effect of classified licensure on persons holding a chauffeur's license; repealing provisions for licensure of such persons under the appropriate license classification; providing an effective date.

—was referred to the Committee on Transportation.

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By Senator Detert—

**SB 1686**—A bill to be entitled An act relating to economic development; creating s. 288.005, F.S.; providing definitions; amending s. 288.095, F.S.; making technical changes; deleting obsolete provisions; deleting a requirement for Enterprise Florida, Inc., to prepare an annual report; amending s. 288.106, F.S.; deleting a definition; revising criteria for the designation of target industries developed by the Office of

Tourism, Trade, and Economic Development; requiring the Office of Tourism, Trade, and Economic Development to consider the economic benefits when awarding economic development incentives and certifying a business as a qualified target industry business; amending s. 288.1088, F.S.; requiring awards from the Quick Action Closing Fund to have a positive economic benefit; amending s. 288.90151, F.S.; revising legislative intent; providing that private sector support for the operations of Enterprise Florida, Inc., includes cash jointly raised by Enterprise Florida, Inc., and a private statewide business organization that supports collaborative projects; requiring the Office of Economic and Demographic Research to hire an economic analysis firm to assist in the development of a methodology for establishing and reporting of economic benefits of awards from the Quick Action Closing Fund; amending s. 288.906, F.S.; revising the required contents of an annual report by Enterprise Florida, Inc.; creating s. 288.907, F.S.; requiring Enterprise Florida, Inc., to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring Enterprise Florida, Inc., to cooperate with VISIT Florida in the promotion of this state to businesses in target industries and high-impact industries; requiring that certain counties and municipalities annually provide to Enterprise Florida, Inc., an overview of certain local economic development activities; amending s. 288.7771, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Margolis—

**SJR 1688**—A joint resolution proposing the creation of Section 8 of Article VI of the State Constitution to provide for the recall of the Governor, Lieutenant Governor, members of the Cabinet, and legislators.

—was referred to the Committees on Rules; and Judiciary.

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By Senator Diaz de la Portilla—

**SB 1690**—A bill to be entitled An act relating to elections; amending s. 106.08, F.S.; revising the limitations on contributions made to certain candidates and political committees; reenacting ss. 106.04(5), 106.075(2), 106.087, 106.19, and 106.29, F.S., relating to contributions made by committees of continuous existence, contributions made to pay all or part of loans incurred, penalties for the acceptance of contributions or expenditures made in excess of the statutory limits or failing to report or falsely reporting certain information, and contributions received and expenditures made by state executive and county executive committees of each political party, to incorporate the amendment made to s. 106.08, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Rules; and Budget.

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By Senator Diaz de la Portilla—

**SB 1692**—A bill to be entitled An act relating to public corruption; amending s. 112.312, F.S.; redefining the term "gift" to exclude contributions or expenditures reported under federal election law; amending s. 112.3145, F.S.; redefining the term "local officer" for the purposes of disclosing financial interests to include members of a community redevelopment agency board and any finance director of a county, municipality, or other political subdivision; repealing s. 838.014(4), F.S., relating to the term "corruptly" or "with corrupt intent" to conform provisions to changes made by the act; amending s. 838.015, F.S.; redefining the term "bribery" as it relates to the requisite mental state for the offense of bribery; amending ss. 838.016 and 838.022, F.S.; revising provisions relating to the requisite mental state for the offenses of unlawful compensation and reward for official behavior and official misconduct, to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Rules; Criminal Justice; and Budget.



By Senator Richter—

**SB 1694**—A bill to be entitled An act relating to motor vehicle personal injury protection insurance; amending s. 26.012, F.S.; providing that the circuit court has exclusive jurisdiction in actions involving challenges to arbitration decisions under the Florida Motor Vehicle No-Fault Law; amending s. 627.4137, F.S.; requiring a claimant's request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.731, F.S.; providing legislative intent with respect to the Florida Motor Vehicle No-Fault Law; amending s. 627.736, F.S.; revising requirements relating to charges for treatment; specifying certain types of medical services subject to reimbursement; revising requirements relating to discovery; requiring the insured and assignee to comply with certain provisions to recover benefits; requiring the provider to produce persons having the most knowledge in specified circumstances; providing that an insurer that requests an examination under oath in a manner that is inconsistent with the policy is engaging in an unfair and deceptive trade practice; providing that failure to appear for an examination establishes a rebuttable presumption that such failure was unreasonable; limiting attorney's fees; providing that attorney's fees are calculated without regard to a contingency risk multiplier; providing for arbitration; authorizing an insurer to offer a policy that requires or allows for arbitration before a lawsuit can be filed and in lieu of litigation; providing that arbitration may not be initiated until a specified number of days after certain documents are received; providing for the location of arbitration and the selection of an arbitrator; requiring the claimant to make certain files available in specified circumstances; requiring the insurer to make certain evidence available in specified circumstances; providing that the written decision of the arbitrator, unless challenged, is binding; providing limits on the arbitration award and attorney's fees and costs; providing that a claimant is entitled to reimbursement of attorney's fees and costs; providing for a court challenge of the arbitration award; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Budget.

By Senator Wise—

**SB 1696**—A bill to be entitled An act relating to public school accountability; amending s. 1001.20, F.S.; deleting a provision that requires the Florida Virtual School to be administratively housed within the Office of Technology and Information Services within the Department of Education; amending s. 1001.42, F.S.; revising the powers and duties of district school boards to require that students be provided with access to Florida Virtual School courses; amending s. 1002.33, F.S.; revising provisions relating to charter schools to authorize a community college to work with the school district or school districts in its designated service area to operate charter schools; authorizing such charter schools to include an option for secondary students to receive an associate degree upon high school graduation; amending s. 1002.37, F.S.; conforming provisions to changes made by the act; amending s. 1002.38, F.S.; revising provisions relating to the Opportunity Scholarship Program to provide that school grades for all schools be based on statewide assessments; amending s. 1002.45, F.S.; revising qualification requirements for virtual instruction program providers; providing that an approved provider retain its approved status for 3 school years after approval; amending s. 1002.67, F.S.; requiring that the State Board of Education periodically review and revise the performance standards for the statewide kindergarten screening and align to student performance standards for statewide assessments; requiring that newly admitted voluntary prekindergarten program students complete the statewide voluntary prekindergarten enrollment screening; requiring that the provider pay for screening; amending s. 1002.69, F.S.; requiring that the Department of Education adopt a statewide voluntary prekindergarten enrollment screening; requiring that each Early Learning Coalition administer the enrollment screening; requiring that each parent or guardian enrolling his or her child in a voluntary prekindergarten education program submit the child for enrollment screening if required by the provider; amending s. 1002.73, F.S.; requiring that the Department of Education adopt procedures for the statewide voluntary prekindergarten enrollment screening, fee schedule, and the process for determining learning gains of students who complete the voluntary prekindergarten and kindergarten screenings; amending s. 1003.03, F.S.; providing that if a district school board produces evidence that it was unable to meet class size requirements despite efforts to do so, the reduction of an alternative amount of funds from the district's class size categorical may

be recommended by the State Board of Education for approval by the Legislative Budget Commission; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion; providing that a student with a disability may have his or her end-of-course assessment results waived under certain circumstances; providing that a middle grades student is exempt from the reading remediation requirements under certain circumstances; creating s. 1003.4203, F.S.; requiring each district school board to develop and implement a digital curriculum for students in grades 5 through 12; specifying certain components of a digital curriculum; requiring student participation unless exempt due to written parental request; requiring curriculum standards and measures to assess student content knowledge and skills and learning gains; authorizing the Department of Education to develop a model to serve as a guide for school districts; providing for funding for a school district's digital curriculum; providing that a school district that demonstrates high achievement in student competency in web communications and web design is eligible for certain financial incentives; requiring that the department and the Commissioner of Education establish procedures for statewide recognition of school districts and individual students; authorizing partnerships with private businesses and consultants; requiring that school district digital curriculum advisory committees be established; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; providing that a high school student may be exempt from intensive reading under certain circumstances; amending s. 1003.492, F.S.; revising provisions relating to industry-certified career education programs; requiring that rules adopted by the State Board of Education establish a process for weighing the value of industry certifications based on the rigor of the certification and its employment value to state businesses and industry; amending s. 1003.493, F.S.; revising provisions relating to career and professional academies to include middle schools; requiring that students who are completing a middle school career and professional academy program have an opportunity to earn an industry certification, high school credit, and participate in career planning, job shadowing, and leadership development opportunities; requiring that middle school career and professional academies align with high school career and professional academies; providing for partnerships with high schools, businesses, industry, employers, economic development organizations, and other local community partners; amending s. 1003.575, F.S.; revising provisions relating to assistive technology devices for young persons with disabilities to require that any school having an individualized education plan team arrange to complete an assistive technology assessment within a specified number of days after receiving a request for such assessment; amending s. 1003.621, F.S.; removing an exemption provided for high-performing school districts from compliance with requirements to requisition instructional materials from the publisher's depository; amending s. 1006.28, F.S.; revising provisions relating to the duties of district school boards to conform provisions to changes made by the act; amending s. 1006.29, F.S.; revising provisions relating to state instructional materials; replacing references to state instructional materials committees with state instructional materials reviewers; requiring that the Commissioner of Education appoint state or national experts to review and evaluate instructional materials; amending s. 1006.30, F.S.; revising provisions relating to the affidavit of state instructional materials reviewers to conform to changes made by the act; amending s. 1006.31, F.S.; revising provisions relating to the duties of each state instructional materials reviewer to conform to changes made by the act; amending s. 1006.32, F.S.; conforming provisions to changes made by the act; amending s. 1006.33, F.S.; revising provisions relating to bids or proposals of instructional materials to conform provisions to changes made by the act; amending s. 1006.34, F.S.; revising provisions relating to the commissioner's powers and duties in selecting and adopting instructional materials; providing an exemption from the requirement that a rule having certain regulatory costs be ratified by the Legislature; providing for the Department of Education rather than the Department of Legal Affairs to prepare contracts for instructional materials; requiring that the contracts be executed by the Commissioner of Education rather than by the Governor and Secretary of State; amending s. 1006.35, F.S.; conforming provisions relating to the accuracy of instructional materials to changes made by the act; amending s. 1006.36, F.S.; revising the term of adoption of any instructional materials from a 6-year period to a 5-year period; repealing s. 1006.37, F.S., relating to the requisition of instructional materials from a publisher's depository; amending s. 1006.38, F.S.; revising provisions relating to the duties, responsibilities, and requirements of instructional materials publishers and manufacturers; requiring electronic delivery of copies to the Department of Education in accordance with procedures adopted by the

State Board of Education; authorizing publishers to offer digital or electronic versions of instructional materials at reduced rates; amending s. 1006.39, F.S.; revising provisions relating to the production and dissemination of educational materials and products by the Department of Education to conform to changes made by the act; amending s. 1006.40, F.S.; revising provisions relating to the annual allocation for the purchase of digital, electronic, or web-based instructional materials; authorizing a district school board to purchase technology hardware using categorical funds for instructional materials under specified circumstances; amending s. 1006.43, F.S.; revising provisions relating to Department of Education's expenses and annual legislative budget requests to conform to changes made by the act; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in the administration of the National Assessment of Educational Progress or similar national or international assessment program; providing for future expiration of the requirement that school districts participate in international assessment programs; authorizing the school principal to exempt certain students from the end-of-course assessment in civics education; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring that the Department of Education categorize public schools based on the portion of a school's grade that relies on statewide assessments; revising the categorization of the lowest-performing schools; amending s. 1008.34, F.S.; revising provisions relating to the designation of school grades to conform to changes made by the act; providing for assigning achievement scores and learning gains for students who are hospital or homebound; requiring that a school that does not meet minimal proficiency standards established by the State Board of Education receive a school grade of "F"; amending s. 1011.01, F.S.; revising provisions relating to the annual operating budgets of district school boards and community college boards of trustees; amending s. 1011.03, F.S.; revising provisions relating to tentative and final district school board budgets; requiring that an adopted budget be transmitted to the Department of Education; amending s. 1011.61, F.S.; redefining the term "full-time equivalent student" as it relates to students in virtual instruction programs; amending s. 1011.62, F.S.; revising provisions relating to funds for the operation of schools; providing that the value of the full-time equivalent student membership be determined by weights adopted by the State Board of Education; conforming provisions; amending s. 1012.39, F.S.; revising provisions relating to the employment of non-degreed teachers of career education; requiring that qualifications be established for nondegreed teachers of career and technical education courses for state-recognized program clusters; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Dean—

**SB 1698**—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting legislative intent; deleting provisions requiring the Department of Health to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years; deleting provisions prohibiting the land application of septage and requiring the Department of Environmental Protection to recommend to the Governor and Legislature alternative methods for land application of septage; creating s. 381.00651, F.S.; requiring the Department of Health to implement and administer a pilot program for the periodic evaluation of onsite sewage treatment and disposal systems beginning from a certain date; providing criteria for selecting counties within which to implement the pilot program; authorizing the Department of Health to adopt rules; providing for enforcement; allowing other counties to participate in the evaluation program and providing criteria; providing that certain counties in certain circumstances are not required to participate in the pilot program; requiring that owners of an onsite sewage treatment and disposal system, excluding a system for which an operating permit is required, have the system pumped out and evaluated every 5 years; defining the term "system failure"; requiring the department to adopt an evaluation form and providing criteria; requiring the department to create a uniform statewide comprehensive evaluation, tracking, and reporting system accessible through a secure Internet connection; providing exceptions to the pump-out requirement; authorizing the department to require repairs, modifications, or replacement at the own-

er's expense if a system failure is identified; requiring the department to select the least costly remedial measure; requiring the evaluation or pump out to be performed by certain registered contractors, licensed engineers, or certified environmental health professionals; providing for an evaluation fee; requiring the department to give to owners of systems at least 60 days' notice before an evaluation deadline; requiring the department and the Department of Environmental Protection to collaborate on providing notice to counties of certain available funds and creating a revolving loan program that provides low-interest loans to residents for the repair of failing systems; requiring the department to contract for the development of a uniform statewide comprehensive computerized evaluation, tracking, and reporting system and providing criteria; amending s. 381.00656, F.S.; extending the date by which the Department of Health is required to begin administering the grant program for the repair of onsite sewage treatment disposal systems; adding a cross-reference; amending s. 381.0066, F.S.; conforming a cross-reference; lowering the fees imposed by the department for evaluation reports; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Budget.

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By Senator Margolis—

**SB 1700**—A bill to be entitled An act relating to recall; creating s. 100.365, F.S.; providing procedures for recall from office of the Governor, the Lieutenant Governor, members of the Cabinet, and legislators; requiring that proponents of the recall register as a political committee; prescribing the methods and timeframes for initiating and conducting the recall; providing ballot language; authorizing the adoption of rules; providing a contingent effective date.

—was referred to the Committees on Rules; and Budget.

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By Senator Norman—

**SB 1702**—A bill to be entitled An act relating to school district minimum classroom expenditure requirements; repealing s. 1011.64, F.S., which provides for minimum academic performance standards and increased classroom expenditure requirements for school districts not meeting the standards; amending ss. 1011.01, 1011.03, and 1011.60, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Hays—

**SJR 1704**—A joint resolution proposing an amendment to Section 12 of Article V of the State Constitution to require that certain proceedings, records, and materials of the Judicial Qualifications Commission be open to the public and to require the commission to notify the Speaker of the House of Representatives of complaints received or initiated, investigations conducted, and complaints concluded.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

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By Senators Montford and Gaetz—

**SJR 1706**—A joint resolution proposing an amendment to Section 7 of Article IX of the State Constitution to require the Governor to appoint a state university student body president to the Board of Governors of the State University System.

—was referred to the Committees on Higher Education; Judiciary; Budget; and Rules.

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By Senator Jones—

**SB 1708**—A bill to be entitled An act relating to destination resorts; amending s. 20.21, F.S.; creating the Destination Resort Commission

within the Department of Revenue; amending s. 120.80, F.S.; exempting the Destination Resort Commission from specified provisions of the Administrative Procedure Act; creating the Destination Resort Act; providing definitions; providing that the Destination Resort Commission is a separate budget entity from the Department of Revenue; providing for the appointment and qualifications of members of the commission; providing for the selection of the chair and vice chair of the commission; providing that the chair is the administrative head of the commission; specifying the responsibilities of the chair; providing that the commission serves as the agency head for purposes of the Administrative Procedure Act; providing that the executive director of the commission may serve as the agency head for purposes of final agency action within the authority delegated by the commission; specifying the powers of the commission, including the power to authorize limited gaming at up to five destination resorts, conduct investigations, issue subpoenas, take enforcement actions, and create an invitation to negotiate process to evaluate applications for a resort license; specifying the jurisdiction of the commission, the Department of Law Enforcement, and local law enforcement agencies to investigate criminal violations relating to limited gaming; requiring the commission to revoke or suspend the licensee of a person who was unqualified at the time of licensure or who is no longer qualified to be licensed; authorizing the commission to adopt rules relating to the types of gaming authorized, requirements for the issuance, renewal, revocation, and suspension of licenses, the disclosure of financial interests, procedures to test gaming equipment, procedures to verify gaming revenues and the collection of taxes, requirements for gaming equipment, procedures relating to a facilities-based computer system, bond requirements of resort licensees, the maintenance of records, procedures to calculate the payout percentages of slot machines, security standards, the scope and conditions for investigations and inspections into the conduct of limited gaming, the seizure of gaming equipment and records without notice or a warrant, employee drug-testing programs, and the payment of costs, fines, and application fees; authorizing the commission to adopt emergency rules; exempting the rules from specified provisions of the Administrative Procedure Act; authorizing the commission to employ law enforcement officers; specifying the qualifications and powers of law enforcement officers employed by the commission; providing for the appointment, qualifications, and powers of the executive director of the commission; specifying persons who may not be employed by the commission; requiring the commission to adopt a code of ethics for its employees, members, and agents; specifying prohibited financial interests and relationships; imposing post-employment restrictions on members, employees, and agents of the commission; restricting the political activities of members, employees, and agents of the commission; prohibiting commissioners, employees, and agents of the commission from wagering under certain circumstances; requiring members, employees, and agents of the commission to annually disclose certain financial interests; specifying conditions under which members, employees, and agents of the commission must immediately disclose certain financial matters, criminal matters, employment negotiations, the offering or acceptance of gifts, and the offering of a bribe; prohibiting ex parte communications between applicants or licensees and members of the commission; requiring parties to an ex parte communication to disclose the substance of the communication; authorizing the imposition of a fine on a member of the commission who fails to disclose an ex parte communication; authorizing the Commission on Ethics to investigate complaints alleging an ex parte communication; requiring the Commission on Ethics to provide a report of its findings to the Governor if it finds that a commissioner violated the prohibitions on ex parte communications; authorizing the Commission on Ethics to bring an action against a commissioner to collect any penalties assessed; prohibiting a person who participated in an ex parte communication from appearing or representing a person before the commission for a certain time; specifying grounds for removal or termination of employment of commissioners and employees who violate the laws regulating limited gaming; requiring a referendum in the county where a destination resort is to be located as a prerequisite to the conduct of limited gaming activities; preempting the regulation of limited gaming at a destination resort to the state; requiring the commission to develop an invitation to negotiate process to award a resort license; specifying the minimum criteria that an applicant must meet to be awarded a destination resort license; specifying events that disqualify an applicant from eligibility for a resort license; specifying the information that must be on or included with an application for a resort license; specifying the amount of a nonrefundable application fee for a resort license to be used to defray the costs of an investigation of the applicant; authorizing the imposition of additional fees if the amount of the application fee is in-

sufficient to cover the costs of the investigation; requiring the payment of a one-time licensing fee to be submitted along with an application for a resort license; requiring the executive director to notify an applicant for a resort license if the application is incomplete; authorizing the applicant to have an informal conference with the executive director to discuss an incomplete application; authorizing the executive director to grant an extension to complete an application; providing for the stay of the award of a resort license during an extension or the appeal to the commission of a finding by the executive director that an application is incomplete; exempting an institutional investor that is a qualifier for a resort licensee from certain application requirements under certain circumstances; requiring notice to the commission of any changes that may require a person to comply with the full application requirements; exempting lending institutions and underwriters from licensing requirements as a qualifier under certain circumstances; specifying conditions for a resort licensee to maintain licensure; requiring that the licensee post a bond; specifying conditions for the conduct of limited gaming by a resort licensee; requiring the commission to renew the license of a resort licensee if the licensee satisfies specified conditions; specifying an annual fee for the renewal of a resort license; imposing a tiered gross receipts tax based on the amount of a resort licensee's infrastructure costs; providing for the deposit of the tax into the Destination Resort Trust Fund; providing for certain unappropriated funds in the Destination Resort Trust Fund to be deposited into the General Revenue Fund, the Tourism Promotional Trust Fund, the Employment Security Administration Trust Fund, and the Transportation Disadvantaged Trust Fund; providing for the proceeds of the gross receipts tax to fund the operations of the commission; providing procedures for the submission and processing of fingerprints of certain persons regulated by the commission; providing that the cost of processing the fingerprints shall be borne by a licensee or applicant; requiring a person to report to the commission certain pleas and convictions for disqualifying offenses; requiring a resort licensee to train its employees about compulsive gambling; requiring a resort licensee to work with a compulsive gambling prevention program; requiring the commission to contract for services relating to the prevention of compulsive gambling; providing for the commission's compulsive gambling prevention program to be funded from a regulatory fee imposed on resort licensees; requiring a person to have a supplier's license to furnish certain goods and services to a resort licensee; specifying the amount of the application fee for a supplier's license; specifying persons who are disqualified from receiving a supplier's license; specifying circumstances under which the commission may revoke a supplier's license; authorizing the commission to adopt rules relating to the licensing of suppliers; requiring a supplier licensee to furnish a list of gaming devices and equipment to the commission, maintain records, file quarterly returns, and affix its name to the gaming equipment and supplies that it offers; requiring that the supplier licensee annually report its inventory to the commission; authorizing the commission to revoke a supplier's license under certain circumstances; providing that the equipment of a supplier's licensee which is used in unauthorized gaming will be forfeited to the county where the equipment is found; imposing a criminal penalty on a person who knowingly makes a false statement on an application for a supplier's license; requiring a person to have an occupational license to serve as a limited gaming employee of a resort licensee; requiring a person to apply to the commission for an occupational license and pay an application fee; specifying information that an applicant must include in an application for an occupational license; specifying grounds for the commission to deny an application for an occupational license; imposing a criminal penalty on a person who knowingly makes a false statement on an application for an occupational license; authorizing the executive director of the commission to issue a temporary occupational or temporary supplier's license under certain circumstances; requiring the commission to file quarterly reports with the Governor, the President of the Senate, and the Speaker of the House of Representatives; specifying procedures for the conduct of proceedings by the commission; authorizing the chair of the commission to assign a proceeding to less than the full commission; providing procedures for the resolution of certain disputes between a resort licensee and a patron; requiring a resort licensee to notify the commission of certain disputes with a patron involving amounts of \$500 or more; requiring a resort licensee to notify a patron of the right to file a complaint with the commission regarding certain disputes of an amount less than \$500; authorizing the commission to investigate disputes and to order a resort licensee to make a payment to a patron; providing for the enforcement of credit instruments; authorizing a resort licensee to accept an incomplete credit instrument and to complete incomplete credit instruments under certain circumstances; providing that ex-

istence of a mental disorder is not a defense or a valid counterclaim in an action to enforce a credit instrument; authorizing the commission to adopt rules prescribing the conditions under which a credit instrument may be presented to a bank; providing that a resort licensee has the right to exclude a person from its limited gaming facility; authorizing a person to request that the commission exclude her or him from limited gaming facilities; specifying the required contents of the request; providing that a self-excluded person who is found on a gaming floor may be arrested and prosecuted for criminal trespass; providing that a self-excluded person holds harmless the commission and licensees from claims for losses and damages under certain circumstances; amending s. 849.15, F.S.; authorizing slot machine gaming in a resort licensee and the transportation of slot machines pursuant to federal law; amending s. 849.231, F.S.; providing that a prohibition on gambling devices does not apply to limited gaming as authorized in the act; amending s. 849.25, F.S.; providing that a prohibition on gaming does not apply to limited gaming as authorized in the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget.

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By Senator Jones—

**SB 1710**—A bill to be entitled An act relating to trust funds; creating the Destination Resort Trust Fund within the Department of Revenue; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget.

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By Senator Jones—

**SB 1712**—A bill to be entitled An act relating to public records; providing definitions; providing an exemption from public-records requirements for confidential and proprietary business information and trade secrets received by the Destination Resort Commission; providing an exemption from public-records requirements for information held that would reveal investigation techniques and procedures used by the Destination Resort Commission; providing a definition; providing an exception to the exemption for other governmental entities having oversight or regulatory or law enforcement authority; providing penalties for an employee of the commission who violates the provisions of the act; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Governmental Oversight and Accountability.

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By Senator Hays—

**SB 1714**—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; revising legislative intent; providing that certain residential structures are not eligible for coverage by the corporation after a certain date; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster; specifying the percentage amount of emergency assessments; revising provisions relating to policyholder surcharges; prohibiting the corporation from levying certain assessments with respect to a year's deficit until the corporation has first levied a specified surcharge; deleting obsolete provisions relating to the corporation's plan of operation; requiring the corporation to commission a consultant to prepare a report on outsourcing various functions and submit such report to the Financial Services Commission by a certain date; revising provisions relating to wind coverage; prohibiting the corporation from accepting applications for commercial nonresidential risks; requiring the policyholders to sign a statement acknowledging that they may be assessed surcharges to cover corporate deficits; providing that policies do not include coverage for screen enclosures and limiting coverage for damage from sinkholes after a certain date; requiring members of the board of governors to abstain from voting on issues on which they have a personal interest; requiring such members to disclose the nature of their interest as a public record; providing that

the corporation operates as a residual market mechanism; revising provisions relating to corporation rates; clarifying that the corporation is immune from certain liabilities; deleting a requirement for an annual report to the Legislature on losses attributable to wind-only coverages; requiring owners of properties in Special Flood Hazard Areas to maintain a separate flood insurance policy after a certain date; providing exceptions; amending ss. 627.3511 and 627.712, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Budget.

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By Senator Ring—

**SB 1716**—A bill to be entitled An act relating to transportation project funding; redirecting funds in the State Transportation Trust Fund and portions of amounts contracted for construction projects of the Department of Transportation to be used for prioritized projects; amending s. 212.0606, F.S., relating to a rental car surcharge; revising the use of allocated proceeds; amending s. 334.044, F.S., relating to powers and duties of the department; revising the allocation of a certain percentage amount of contracted funds; directing unused portions of such funds be reallocated; amending s. 339.135, F.S., relating to the department's adopted work program; providing for certain unencumbered and available funds remaining in the adopted work program due to certain cost savings to be reallocated; amending s. 339.55, F.S., relating to the state-funded infrastructure bank; directing the department to deposit certain funds into the bank; providing a contingent effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Ring—

**SB 1718**—A bill to be entitled An act relating to infrastructure investment; amending s. 20.23, F.S.; directing the Secretary of Transportation to designate an assistant secretary with certain duties relating to economic development, investment opportunities, and transportation projects; amending s. 163.3180, F.S.; providing a limited exemption from Strategic Intermodal System adopted level-of-service standards for certain new development or redevelopment projects; requiring that funding priority be given to improving certain Strategic Intermodal System segments; amending s. 311.09, F.S.; directing the Seaport Transportation and Economic Development Council to include in the Florida Seaport Mission Plan certain elements of local government comprehensive plans that relate to modal integration and economic competitiveness; directing such council to develop a priority list and submit the list to the Trade Infrastructure Investment Steering Committee; amending s. 339.55, F.S.; revising provisions for loans and credit enhancements made by the state-funded infrastructure bank; providing for loan selections by a State Infrastructure Bank Selection Committee; providing for membership of the committee; directing funds in the State Transportation Trust Fund be deposited in the State Infrastructure Bank under certain circumstances; amending s. 339.64, F.S.; revising the Strategic Intermodal System Plan project prioritization process; providing for Strategic Intermodal System projects to be selected by a Strategic Intermodal System Project Selection Committee; providing for membership of the committee; creating chapter 340, F.S., titled "Infrastructure Development"; creating s. 340.101, F.S.; providing a short title; providing a purpose; creating the Trade Infrastructure Investment Steering Committee; providing for membership, organization, staff, and employees of the committee; authorizing the committee to receive and administer funds; providing duties and responsibilities of the committee; directing the committee to submit reports to the Governor and the Legislature; creating s. 340.102, F.S.; authorizing certain local governmental entities to prepare a comprehensive economic development and expansion and intermodal transportation plan; providing for incorporation of the plan into the local government comprehensive plan; requiring certain elements be included in the plan; providing that, upon approval, plan projects constitute a priority list for state and local funding for transportation and related infrastructure projects of all state agencies; directing certain state agencies to develop a memorandum of agreement for assisting each port in the expedited implementation of projects included in each plan; amending s. 373.406, F.S.; providing that, under specified conditions, certain facilities located in deepwater ports are not part of a stormwater management system and are not impervious; amending s. 373.4133, F.S.; requiring the Department of Environmental

Protection to issue a notice of intent for a port conceptual permit within a specified time; providing that a notice of intent to issue such permit creates a rebuttable presumption of compliance with specified standards and authorization; providing a standard for overcoming such a presumption; requiring the department to issue certain permits within a specified time and to notify specified entities of certain compliance; amending s. 403.813, F.S.; exempting certain seaports from specified permit requirements for maintenance dredging if certain conditions are met; revising provisions for such dredging; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; Environmental Preservation and Conservation; and Budget.

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By Senator Hays—

**SB 1720**—A bill to be entitled An act relating to collective bargaining; amending s. 447.03, F.S.; authorizing employees who are members of a labor organization to decertify the labor organization or its certified bargaining agent; requiring labor organizations to provide specified notice; amending s. 447.07, F.S.; providing members of a labor organization with access to the organization's accounting information; requiring labor organizations to provide specified notice; creating s. 447.18, F.S.; providing for enforcement; providing for the award of damages, injunctive relief, and civil penalties; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Fasano—

**SB 1722**—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.1554, F.S.; reducing the amount that any change in the value of nonhomestead residential property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; amending s. 193.1555, F.S.; reducing the amount that any change in the value of certain residential and nonresidential real property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; creating s. 196.078, F.S.; providing a definition; providing a first-time Florida homesteader with an additional homestead exemption; providing for calculation of the exemption; providing for the applicability period of the exemption; providing for an annual reduction in the exemption during the applicability period; providing application procedures; providing for applicability of specified provisions; providing for contingent effect of provisions and varying dates of application depending on the adoption and adoption date of specified joint resolutions; authorizing the Department of Revenue to adopt emergency rules; providing for application and renewal of emergency rules; providing for retroactive application; providing effective dates.

—was referred to the Committees on Community Affairs; Judiciary; Budget; and Rules.

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By Senators Altman and Jones—

**SB 1724**—A bill to be entitled An act relating to renewable energy; amending s. 212.08, F.S.; requiring that solar energy systems have a certain percentage of components manufactured in Florida or the United States in order to be eligible for the exemption from the sales tax; amending s. 220.192, F.S.; extending the date of eligibility for the renewable energy technologies investment tax credit; revising the annual limits for the investment tax credits; defining the term "solar energy system"; providing requirement for a solar electric generating facility to be eligible to receive the tax credit; providing for unused amounts of the tax credit to be carried forward; amending s. 220.193, F.S.; extending until 2017 the Florida renewable energy production tax credit; amending s. 366.02, F.S.; revising the exceptions to the definition of the term "public utility" to include the developer of certain renewable energy generation facilities; creating s. 366.90, F.S.; providing legislative intent with respect to the production of electricity using renewable energy; amending s. 366.91, F.S.; redefining the terms "biomass," "net metering," and "renewable energy"; amending s. 366.92, F.S.; revising legislative intent; deleting and revising definitions; deleting provisions for the renewable portfolio standard and renewable energy credits; providing a mechanism for providers to recover costs to produce or purchase speci-

fied amounts of renewable energy through the environmental cost-recovery clause under certain conditions; providing for a competitive auction; providing for recovery of certain costs; providing for terms and conditions of a standard form contract; providing criteria for development deposits; providing criteria for termination of the project; providing for required and allowable purchase of renewable energy as a percentage of the provider's total revenue; providing for minimum purchase of the various types of renewable energy; providing limits on the amount of recoverable costs; requiring certain information be provided to the Public Service Commission for cost recovery proceedings; providing conditions when a seller surrenders attributes; requiring that certain revenues received by a provider be shared with ratepayers; exempting certain renewable energy generating facilities from the Florida Electrical Power Plant Siting Act; requiring providers to submit certain information to the commission in its 10-year site plan; exempting certain expansions of existing renewable electric generating facilities from a determination of need by the commission; authorizing the developer of a solar energy generation facility to locate the facility on the premises of a host consumer under certain circumstances; requiring the commission to adopt rules and submit reports to the Legislature; exempting the expansion of existing renewable energy electric generating facilities from requirements for a determination of need under certain circumstances; amending s. 377.601, F.S.; revising legislative intent relating to the state's energy policy; amending s. 377.703, F.S.; conforming cross-references; amending s. 377.809, F.S.; creating an energy economic zone pilot program for attracting renewable energy, energy efficiency, and biofuel technology industries to an area; requiring the Department of Community Affairs to provide technical assistance; providing for an application process; providing criteria to grant at least one application; amending s. 403.503, F.S.; redefining the term "electrical power plant" for purposes of the Florida Electrical Power Plant Siting Act; providing for severability; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Community Affairs; Commerce and Tourism; and Budget.

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By Senators Margolis and Sachs—

**SB 1726**—A bill to be entitled An act relating to weapons or firearms; amending s. 790.115, F.S.; prohibiting possession of any firearm, electric weapon, or other specified device on property operated by a school district; providing criminal penalties; amending s. 790.251, F.S., and reenacting subsection (4), relating to prohibited acts; clarifying that provisions prohibiting restrictions on firearms possession do not apply to restrictions on possession on property owned or operated by a school district; banning the possession, sale, transfer, or manufacture of high-capacity ammunition feeding devices; providing exceptions; providing a definition of "high-capacity ammunition feeding device"; subjecting a person to a criminal penalty for the unlawful possession, sale, transfer, or manufacture of a high-capacity ammunition feeding device; providing an effective date.

—was referred to the Committees on Criminal Justice; Education Pre-K - 12; and Budget.

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By Senator Latvala—

**SB 1728**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; defining the terms "community service" and "reemployment services"; amending s. 443.091, F.S.; providing that an unemployed individual is eligible to receive benefits if he or she participates in a community service program administered by a one-stop career center; amending ss. 443.1216 and 443.131, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Altman—

**SB 1730**—A bill to be entitled An act relating to the Technology Seed Capital Fund; providing definitions; providing for the creation of the Technology Seed Capital Fund by the Institute for the Commercialization of Public Research; providing for the creation of a fund management

committee by the board of directors of the institute; forbidding members of the committee from investing in a company for a specified period after an investment in a company is approved; specifying responsibilities of the institute and the fund management committee with respect to the fund; specifying the requirements for an investment management plan proposal from interested applicants for the investment manager position; specifying the authority of the investment manager for the fund; specifying qualifications for investments of the fund; requiring that proposed investments be matched by the private sector before the fund invests; requiring that the company be domiciled in the state and operate in one of the targeted industry clusters; requiring that the company have certain positions and abilities; limiting the amount of individual investments of the fund; requiring earnings from the fund to be reinvested; limiting the administrative costs of the fund; requiring the institute to submit an annual report to the Governor and Legislature relating to the activities of the fund; providing an appropriation; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Lynn—

**SB 1732**—A bill to be entitled An act relating to postsecondary education; requiring the Board of Governors of the State University System, in coordination with the Higher Education Coordinating Council, to develop a plan for establishing certain comprehensive undergraduate universities; requiring the Board of Governors to submit a plan to transfer a Florida College System institution to the State University System; providing conditions for the plan; requiring the State Board of Education, in coordination with the Higher Education Coordinating Council, to examine options to realign adult basic education and career education programs; requiring the State Board of Education to submit a plan for the consolidation of certain programs, to clarify jurisdictional responsibility and funding, and to establish an implementation schedule; repealing s. 1000.07, F.S., relating to the Florida Business and Education Collaborative; amending s. 1001.64, F.S.; requiring a community college board of trustees to ask the Commissioner of Education to authorize an investigation of a college president by the Department of Education's inspector general in specified circumstances; requiring the inspector general to report on the investigation and make recommendations; requiring the inspector general to refer any potential legal violation to the Commission on Ethics, the Department of Law Enforcement, the state attorney, or other appropriate authority; amending s. 1007.27, F.S.; requiring the Department of Education to identify certain courses for which a state university has established a higher score for awarding credit; authorizing the statewide articulation agreement to allow a state university board of trustees to establish scores on advance placement exams which the university will accept for course credit; deleting a provision authorizing the exemption of certain students from a requirement to enroll in a summer term; repealing s. 1007.33(6), F.S., relating to an exemption from provisions governing the approval process for baccalaureate degrees; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

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By Senator Smith—

**SB 1734**—A bill to be entitled An act relating to student assessment in the public schools; providing that the Florida Comprehensive Assessment Test (FCAT) shall be discontinued; requiring the High School Competency Test (HSCT) to replace the grade 10 FCAT; requiring a student to earn passing scores on the HSCT to qualify for a standard high school diploma; requiring the State Board of Education to designate passing scores; providing for implementation beginning with the 2013-2014 school year; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Latvala—

**SB 1736**—A bill to be entitled An act relating to health care; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting an obsolete provision; deleting a provision that requires a la-

boratory to submit to the Agency for Health Care Administration a monthly report containing statistical information regarding the testing of employees and job applicants; repealing s. 383.325, F.S., relating to confidentiality of inspection reports of licensed birth center facilities; amending s. 395.002, F.S.; revising and deleting definitions applicable to regulation of hospitals and other licensed facilities; conforming a cross-reference; amending s. 395.003, F.S.; deleting an obsolete provision; conforming a cross-reference; amending s. 395.0193, F.S.; requiring a licensed facility to report certain peer review information and final disciplinary actions to the Division of Medical Quality Assurance of the Department of Health rather than the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 395.1023, F.S.; providing for the Department of Children and Family Services rather than the Department of Health to perform certain functions with respect to child protection cases; requiring certain hospitals to notify the Department of Children and Family Services of compliance; amending s. 395.1041, F.S., relating to hospital emergency services and care; deleting obsolete provisions; repealing s. 395.1046, F.S., relating to complaint investigation procedures; amending s. 395.1055, F.S.; requiring licensed facility beds to conform to standards specified by the Agency for Health Care Administration, the Florida Building Code, and the Florida Fire Prevention Code; amending s. 395.10972, F.S.; revising a reference to the Florida Society of Healthcare Risk Management to conform to the current designation; amending s. 395.2050, F.S.; revising a reference to the federal Health Care Financing Administration to conform to the current designation; amending s. 395.3036, F.S.; correcting a reference; repealing s. 395.3037, F.S., relating to redundant definitions; amending ss. 154.11, 394.741, 395.3038, 400.925, 400.9935, 408.05, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, and the Council on Accreditation to conform to their current designations; amending s. 395.602, F.S.; revising the definition of the term "rural hospital" to delete an obsolete provision; amending s. 400.021, F.S.; revising the definition of the terms "geriatric outpatient clinic" and "resident care plan"; amending s. 400.0255, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.063, F.S.; deleting an obsolete provision; amending ss. 400.071 and 400.0712, F.S.; revising applicability of general licensure requirements under part II of ch. 408, F.S., to applications for nursing home licensure; revising provisions governing inactive licenses; amending s. 400.111, F.S.; providing for disclosure of controlling interest of a nursing home facility upon request by the Agency for Health Care Administration; amending s. 400.1183, F.S.; revising grievance record maintenance and reporting requirements for nursing homes; amending s. 400.141, F.S.; providing criteria for the provision of respite services by nursing homes; requiring a written plan of care; requiring a contract for services; requiring resident release to caregivers to be designated in writing; providing an exemption to the application of discharge planning rules; providing for residents' rights; providing for use of personal medications; providing terms of respite stay; providing for communication of patient information; requiring a physician's order for care and proof of a physical examination; providing for services for respite patients and duties of facilities with respect to such patients; conforming a cross-reference; requiring facilities to maintain clinical records that meet specified standards; providing a fine relating to an admissions moratorium; deleting requirement for facilities to submit certain information related to management companies to the agency; deleting a requirement for facilities to notify the agency of certain bankruptcy filings to conform to changes made by the act; amending s. 400.142, F.S.; deleting language relating to agency adoption of rules; amending 400.147, F.S.; revising reporting requirements for licensed nursing home facilities relating to adverse incidents; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; amending s. 400.179, F.S.; deleting an obsolete provision; amending s. 400.19, F.S.; revising inspection requirements; amending s. 400.23, F.S.; deleting an obsolete provision; correcting a reference; deleting a requirement that the rules for minimum standards of care for persons under 21 years of age include a certain methodology; directing the agency to adopt rules for minimum staffing standards in nursing homes that serve persons under 21 years of age; providing minimum staffing standards; amending s. 400.275, F.S.; revising agency duties with regard to training nursing home surveyor teams; revising requirements for team members; amending s. 400.484, F.S.; revising the schedule of home health agency inspection violations; amending s. 400.606, F.S.; revising the content requirements of the plan accompanying an initial or change-of-ownership application for licensure

of a hospice; revising requirements relating to certificates of need for certain hospice facilities; amending s. 400.607, F.S.; revising grounds for agency action against a hospice; amending s. 400.915, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.931, F.S.; deleting a requirement that an applicant for a home medical equipment provider license submit a surety bond to the agency; amending s. 400.932, F.S.; revising grounds for the imposition of administrative penalties for certain violations by an employee of a home medical equipment provider; amending s. 400.967, F.S.; revising the schedule of inspection violations for intermediate care facilities for the developmentally disabled; providing a penalty for certain violations; amending s. 400.9905, F.S.; revising the definitions of the terms "clinic" and "portable equipment provider"; providing that part X of ch. 400, F.S., the Health Care Clinic Act, does not apply to certain clinical facilities, an entity owned by a corporation with a specified amount of annual sales of health care services under certain circumstances, or an entity owned or controlled by a publicly traded entity with a specified amount of annual revenues; amending s. 400.991, F.S.; conforming terminology; revising application requirements relating to documentation of financial ability to operate a mobile clinic; amending s. 408.034, F.S.; revising agency authority relating to licensing of intermediate care facilities for the developmentally disabled; amending s. 408.036, F.S.; deleting an exemption from certain certificate-of-need review requirements for a hospice or a hospice inpatient facility; amending s. 408.043, F.S.; revising requirements for certain freestanding inpatient hospice care facilities to obtain a certificate of need; amending s. 408.061, F.S.; revising health care facility data reporting requirements; amending s. 408.10, F.S.; removing agency authority to investigate certain consumer complaints; amending s. 408.802, F.S.; removing applicability of part II of ch. 408, F.S., relating to general licensure requirements, to private review agents; amending s. 408.804, F.S.; providing penalties for altering, defacing, or falsifying a license certificate issued by the agency or displaying such an altered, defaced, or falsified certificate; amending s. 408.806, F.S.; revising agency responsibilities for notification of licensees of impending expiration of a license; requiring payment of a late fee for a license application to be considered complete under certain circumstances; amending s. 408.813, F.S.; authorizing the agency to impose fines for unclassified violations of part II of ch. 408, F.S.; amending s. 408.815, F.S.; authorizing the agency to extend a license expiration date under certain circumstances; amending s. 409.91196, F.S.; conforming a cross-reference; amending s. 409.912, F.S.; revising procedures for implementation of a Medicaid prescribed-drug spending-control program; amending s. 409.91255, F.S.; transferring administrative responsibility for the application procedure for federally qualified health centers from the Department of Health to the Agency for Health Care Administration; requiring the Florida Association of Community Health Centers, Inc., to provide support and assume administrative costs for the program; amending s. 429.07, F.S.; deleting the requirement for an assisted living facility to obtain an additional license in order to provide limited nursing services; deleting the requirement for the agency to conduct quarterly monitoring visits of facilities that hold a license to provide extended congregate care services; deleting the requirement for the department to report annually on the status of and recommendations related to extended congregate care; deleting the requirement for the agency to conduct monitoring visits at least twice a year to facilities providing limited nursing services; increasing the licensure fees and the maximum fee required for the standard license; increasing the licensure fees for the extended congregate care license; eliminating the license fee for the limited nursing services license; transferring from another provision of law the requirement that a biennial survey of an assisted living facility include specific actions to determine whether the facility is adequately protecting residents' rights; providing that under specified conditions an assisted living facility that has a class I or class II violation is subject to periodic unannounced monitoring; requiring a registered nurse to participate in certain monitoring visits; amending s. 429.11, F.S.; revising licensure application requirements for assisted living facilities to eliminate provisional licenses; amending s. 429.12, F.S.; deleting a requirement that a transferor of an assisted living facility advise the transferee to submit a plan for correction of certain deficiencies to the Agency for Health Care Administration before ownership of the facility is transferred; amending s. 429.17, F.S.; deleting provisions relating to the limited nursing services license; revising agency responsibilities regarding the issuance of conditional licenses; amending s. 429.19, F.S.; clarifying that a monitoring fee may be assessed in addition to an administrative fine; amending s. 429.23, F.S.; deleting reporting requirements for assisted living facilities relating to liability claims; amending s. 429.255, F.S.; eliminating provisions authorizing the use of volunteers

to provide certain health-care-related services in assisted living facilities; authorizing assisted living facilities to provide limited nursing services; requiring an assisted living facility to be responsible for certain recordkeeping and staff to be trained to monitor residents receiving certain health-care-related services; amending s. 429.28, F.S.; deleting a requirement for a biennial survey of an assisted living facility, to conform to changes made by the act; conforming a cross-reference; amending s. 429.35, F.S.; authorizing the agency to provide certain information relating to the inspections of assisted living facilities electronically or through the agency's Internet website; amending s. 429.41, F.S., relating to rulemaking; conforming provisions to changes made by the act; amending s. 429.53, F.S.; revising provisions relating to consultation by the agency; revising a definition; amending s. 429.54, F.S.; requiring licensed assisted living facilities to electronically report certain data semiannually to the agency in accordance with rules adopted by the department; amending s. 429.71, F.S.; revising schedule of inspection violations for adult family-care homes; amending s. 429.915, F.S.; revising agency responsibilities regarding the issuance of conditional licenses; repealing s. 440.102(9)(d), F.S., relating to a laboratory's requirement to submit to the Agency for Health Care Administration a monthly report containing statistical information regarding the testing of employees and job applicants; amending s. 483.294, F.S.; revising frequency of agency inspections of multiphasic health testing centers; amending s. 626.9541, F.S.; authorizing an insurer offering a group or individual health benefit plan to offer a wellness program; authorizing rewards or incentives; providing for verification of a member's inability to participate for medical reasons; providing that such rewards or incentives are not insurance benefits; amending s. 766.202, F.S.; adding persons licensed under part XIV of ch. 468, F.S., to the definition of "health care provider"; amending ss. 394.4787, 400.0239, 408.07, 430.80, and 651.118, F.S.; conforming terminology and references to changes made by the act; revising a reference; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Alexander—

**SB 1738**—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.90, F.S.; conforming a cross-reference; amending s. 215.91, F.S.; providing that the Financial Management Information Board is responsible for the system; deleting provisions relating to the Florida Financial Management Information System Coordinating Council; deleting references to functional owner subsystems; amending s. 215.92, F.S.; redefining terms and adding and deleting definitions; creating s. 215.922, F.S.; establishing the Agency for Enterprise Business Services within the Department of Financial Services; providing that the office is a separate budget entity not subject to the department; providing that the agency is headed by the Governor and Cabinet acting as the Financial Management Information Board; providing for an executive director; providing the duties of the agency; creating s. 215.923, F.S.; establishing the Enterprise Financial Business Operations Council to act in an advisory capacity to the agency; providing the members of the council; providing council duties; creating s. 215.924, F.S.; providing for an Enterprise Financial Business Strategic Plan; requiring the plan to be annually reviewed, updated, and submitted to the Legislature; providing for the contents of the plan; amending s. 215.93, F.S.; revising provisions relating to the Florida Financial Management Information System; renaming the Florida Accounting Information Resource Subsystem the Financial Management Subsystem; adding the Revenue and Tax Collection, Processing, and Distribution Subsystem; deleting references to functional owner subsystems and providing for enterprise business owners; revising the duties of the owners; deleting references to the design and coordination staff; providing for the ownership and functions of the Revenue and Tax Collection, Processing, and Distribution Subsystem by the Department of Revenue; amending s. 215.94, F.S.; deleting references to functional owner subsystems and providing for enterprise business owners; amending s. 215.95, F.S.; providing additional duties for the Financial Management Information Board; repealing s. 215.96, F.S., relating to the coordinating council and design and coordination staff; creating s. 215.961, F.S.; providing state agency requirements relating to the Florida Financial Management Information System and the use of functional information and enterprise agency business subsystems;



amending s. 215.985, F.S., relating to the Transparency Florida Act; redefining the term "governmental entity" to include public schools rather than public school districts; requiring the Legislative Auditing Committee to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state's official website; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring the Office of Policy and Budget to maintain the state's financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the act; establishing a state contract management system on the website; requiring the Legislative Auditing Committee to adopt guidelines for administering the act; conforming terms; repealing s. 570.07(41), F.S., relating to the Department of Agriculture and Consumer Services' exemption from using the state online procurement system; amending ss. 17.11, 216.102, 216.141, and 216.237, F.S.; conforming terms; providing for funding; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

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**SB 1740**—Not referenced.

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By Senator Thrasher—

**SB 1742**—A bill to be entitled An act relating to the regulation of professions; amending s. 20.165, F.S.; authorizing the Department of Business and Professional Regulation to require a person licensed by or applying for a license from the department to be governed by provisions providing programs for impaired practitioners under the jurisdiction of the Division of Medical Quality Assurance within the Department of Health; authorizing the Department of Business and Professional Regulation to exercise any of the powers granted to the Department of Health with respect to such programs; amending s. 456.001, F.S.; redefining the term "health care practitioner" as it relates to the regulation of health care professions to include those persons certified or licensed to provide medical transportation services or radiological services; amending s. 456.0635, F.S.; exempting a health care practitioner from disqualification for a license, certificate, or registration if the practitioner was suffering from an addiction or impairment at the time of the disqualifying conduct and subsequently completes an impaired practitioner program; amending s. 456.074, F.S.; requiring the State Surgeon General to issue an emergency order suspending or restricting a health care practitioner's license under certain circumstances; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensing requirements if the entity employs or contracts with licensed professionals; revising the schools or programs that may contract for impaired practitioner consulting services; limiting the liability of certain medical schools and schools that prepare health care practitioners and veterinarians for licensure for referring a student to an impaired practitioner consultant; clarifying the types of legal proceedings related to services provided by impaired practitioner consultants which are defended by the Department of Financial Services; clarifying requirements for an impaired practitioner consultant to maintain as confidential certain information concerning an impaired practitioner; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and Budget.

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By Senator Storms—

**SB 1744**—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; providing exceptions; specifying who may perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who may review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who have a serious medical condition necessitating the abortion;

revising requirements for written materials; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; providing exceptions; requiring that live ultrasound images be reviewed and explained to the patient; requiring compliance with all other provisions in s. 390.0111, F.S., if the patient declines to view the live ultrasound images; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Richter—

**SB 1746**—A bill to be entitled An act relating to excise taxes; amending s. 206.9925, F.S.; replacing the term "petroleum products" with "pollutant" for purposes of part IV of ch. 206, F.S. and clarifying the definition; deleting provisions defining the terms "pollutants," "solvents," and "consume" for purposes of part IV of ch. 206, F.S.; amending s. 206.9935, F.S.; revising the amounts of excise taxes imposed on pollutants; deleting provisions providing for the revenues from the excise taxes to be deposited into the Coastal Protection Trust Fund, the Water Quality Assurance Trust Fund, the Inland Protection Trust Fund, and the Coastal Protection Trust Fund; amending s. 206.9941, F.S.; deleting the exemptions applicable to the excise tax on solvents; revising the exemption from the excise tax on petroleum products to apply to pollutants; amending s. 206.9942, F.S.; replacing the term "petroleum product" with the term "pollutant"; deleting provisions relating to excise taxes on solvents and lead-acid batteries; amending s. 206.9945, F.S.; deleting the application of a service charge on funds in the Fuel Tax Collection Trust Fund; providing for certain excise tax revenues to be transferred into the General Revenue Fund instead of the Coastal Protection Trust Fund and the Water Quality Assurance Trust Fund; providing for certain excise tax revenue to be transferred to the General Revenue Fund after revenue bonds for the Florida Inland Protection Financing Corporation have been satisfied; repealing s. 376.70, F.S., relating to a gross receipts tax levied on drycleaning facilities and dry drop-off facilities; repealing s. 376.71, F.S., relating to an exemption for uniform rental companies and linen supply companies from a registration fee and a gross receipts tax; repealing s. 376.75, F.S., relating to a tax on the production or importation of perchloroethylene; repealing s. 403.717, F.S., relating to the requirements for waste tires and lead-acid batteries; repealing s. 403.718, F.S., relating to the imposition of a waste tire fee; repealing s. 403.7185, F.S., relating to the imposition of a lead-acid battery fee; repealing s. 681.117, F.S., relating to a fee on the lease or sale of a motor vehicle; amending s. 213.053, F.S.; providing for the future expiration of provisions authorizing the sharing of otherwise confidential information relating to waste tire fees, lead-acid battery fees, gross receipts taxes levied on drycleaning facilities and dry drop-off facilities, the tax relating to the production or importation of perchloroethylene, and motor vehicle warranty enforcement; amending ss. 72.011, 213.05, 376.301, 376.307, 376.3078, and 403.709, F.S.; conforming cross-references to changes made by the act; providing for the application of the act to distributions of tax revenues; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

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By Senator Flores—

**SB 1748**—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; restricting the circumstances in which an abortion may be performed in the third trimester or after viability; requiring an abortion clinic to provide conspicuous notice on any form or medium of advertisement that the abortion clinic is prohibited from performing abortions in the third trimester or after viability; providing certain physician, location, and clinic licensure and ownership requirements; requiring a physician who offers to perform or performs terminations of pregnancy to complete continuing education related to ethics; prohibiting a termination of pregnancy from being performed in a location other than a validly licensed hospital, abortion clinic, or physician's office; prohibiting a person from establishing, conducting, managing, or operating an abortion clinic without a valid, current license; prohibiting a person from performing or assisting in performing an abortion on a person in the third trimester or after viability, other than in a hospital; requiring an abortion clinic to be owned and operated by a physician who has received training during residency in performing a dilation-and-



curettage procedure or a dilation-and-evacuation procedure; providing a penalty; providing that failure to dispose of fetal remains in accordance with rules of the Department of Health is a misdemeanor of the first degree rather than a misdemeanor of the second degree; clarifying provisions providing that it is a first-degree misdemeanor to unlawfully advertise how to obtain a miscarriage of a woman pregnant with a child; requiring the Department of Health to permanently revoke the license of any health care practitioner who is convicted or found guilty of, or enters a plea of guilty or nolo contendere to, regardless of adjudication, certain felony criminal acts; requiring the Agency for Health Care Administration to submit to the Governor and Legislature an annual report of aggregate statistical data relating to abortions and provide such data on its website; amending s. 390.0112, F.S.; requiring the director of a medical facility or physician's office to submit a report to the agency following each termination of pregnancy on a form developed by the agency which is consistent with the U.S. Standard Report of Induced Termination of Pregnancy from the Centers for Disease Control and Prevention; requiring the agency to submit reported data to the Division of Reproductive Health within the Centers for Disease Control and Prevention; amending s. 390.012, F.S.; requiring the agency to adopt rules that prescribe standards for placing conspicuous notice on any form or medium of advertisement of an abortion clinic which states that the abortion clinic is prohibited from performing abortions in the third trimester or after viability; amending s. 456.013, F.S.; requiring that each applicable board require a physician who offers to perform or performs terminations of pregnancy to annually complete a course relating to ethics as part of the licensure and renewal process; providing that the course counts toward the total number of continuing education hours required for the profession; requiring the applicable board to approve the course; repealing s. 797.02, F.S., relating to the advertising of drugs for abortions; repealing s. 797.03, F.S., relating to prohibited acts related to abortions and their penalties; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

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By Senator Diaz de la Portilla—

**SB 1750**—A bill to be entitled An act relating to property insurance appraisal umpires and property insurance appraisers; amending s. 624.501, F.S.; providing license application, issuance, biennial renewal, or continuation fees for property insurance appraisal umpires and property insurance appraisers; amending s. 626.015, F.S.; defining the terms “property insurance loss appraiser” and “property insurance appraisal umpire” for purposes of the Licensing Procedures Law; amending s. 626.016, F.S.; providing that property insurance appraisal umpires and property insurance appraisers are subject to the powers of the Department of Financial Services, the Financial Services Commission, and the Office of Insurance Regulation; amending s. 626.022, F.S.; expanding the scope of part I of ch. 626, F.S., to include property insurance appraisal umpires and property insurance appraisers; deleting obsolete provisions; amending s. 626.112, F.S.; requiring that property insurance appraisal umpires and property insurance appraisers operating in this state be licensed by the department; creating part XII of ch. 626, F.S.; creating s. 626.9931, F.S.; providing legislative findings and purpose; creating s. 626.9932, F.S.; providing the scope and parameters for application; creating s. 626.9933, F.S.; providing definitions; creating s. 626.9934, F.S.; providing procedures for the application for licensure as a property insurance appraisal umpire and as a property insurance appraiser; requiring that all applicants be fingerprinted by a law enforcement agency or other entity approved by the department at the time of application; requiring the department to develop and maintain an updated list of licensed umpires and licensed property insurance appraisers; creating s. 626.9935, F.S.; authorizing the department to adopt rules; creating s. 626.9936, F.S.; providing qualifications for licensure as a property insurance appraisal umpire and as a property insurance appraiser; creating s. 626.9937, F.S.; providing professional and educational requirements for licensure as a property insurance appraisal umpire and property insurance appraiser; creating s. 626.9938, F.S.; providing for the regulation of umpire and property insurance appraiser course providers, instructors, and courses; requiring the department to adopt rules establishing standards for providers, instructors, and courses, and a process for determining compliance with certain precicensure requirements; adopting forms to be used for the administration of such requirements; creating s. 626.9939, F.S.; providing grounds for the

compulsory refusal, suspension, or revocation of an umpire's license and a property insurance appraiser's license; creating s. 626.9940, F.S.; providing grounds for the discretionary refusal, suspension, or revocation of an umpire's license and a property insurance appraiser's license; creating s. 626.9941, F.S.; providing ethical standards for property insurance appraisal umpires; creating s. 626.9942, F.S.; requiring that a licensed property insurance appraisal umpire and property insurance appraiser retain certain records for a specified period; requiring that umpires and property insurance appraisers make such records available for inspection and copying by the department; requiring that appraisals that are the subject of litigation or have been admitted as evidence in a lawsuit be retained for a specified period; creating s. 626.9943, F.S.; providing ethical standards for licensed property insurance appraisers; creating s. 627.4141, F.S.; providing procedures that must be followed if a residential or commercial property insurance contract provides that either party may submit a written demand to enter into the process of appraisal when the insured and the insurer fail to mutually agree to the actual cash value, the amount of loss, or the cost of repair or replacement of property for which a claim has been filed; providing an exception upon which an insurer may refuse to accept such demand; authorizing each party to select a competent licensed and independent appraiser and to notify the opposing party within a specified period; requiring the appraisers to select a licensed umpire from the department's list of licensed umpires; authorizing either party to file a petition, in a county or circuit court in the jurisdiction in which the covered property is located, to designate a licensed umpire if the appraisers cannot agree on the selection of a licensed umpire; providing that appraisal proceedings are informal unless the insurer and the insured agree otherwise; defining and providing the scope of the term “informal” for purposes of appraisal proceedings; requiring each licensed appraiser to submit a written report to the other licensed appraisers; requiring that any differences in findings among the licensed appraisers which cannot be resolved by the licensed appraisers themselves within a specified period be submitted to the licensed umpire for review; requiring the licensed umpire to submit his or her conclusions regarding any unresolved differences in the findings of the licensed appraisers within a specified period; providing that if either licensed appraiser agrees with the conclusions of the licensed umpire, an itemized written appraisal award signed by the licensed umpire and licensed appraiser shall be filed with the insurer and shall determine the amount of the loss; providing that the appraisal award is binding upon the insurer and the insured; providing for compensation of the licensed appraisers and the licensed umpire; providing that the Florida Arbitration Code does not apply to residential or commercial property insurance loss appraisal proceedings; providing that certain provisions of the Florida Arbitration Code relating to procedural matters do apply; prohibiting the appraisal process from addressing issues involving coverage or lack thereof under an insurance contract; authorizing the licensed umpire and licensed appraisers to consider causation issues when necessary to determine the amount of loss; amending ss. 626.172, 626.7845, 626.8305, and 626.8411, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

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By Senator Wise—

**SB 1752**—A bill to be entitled An act relating to the Department of Health; requiring the addition of severe combined immunodeficiency disease to the list of disorders for which newborn infants are screened by the Division of Children's Medical Services Network of the department; amending s. 383.14, F.S.; requiring the department to bill third-party payors for certain newborn screening tests; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

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By Senator Garcia—

**SB 1754**—A bill to be entitled An act relating to health insurance; prohibiting a person from being compelled to purchase health insurance except under specified conditions; specifying that the act does not prohibit the collection of certain debts; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Rules.

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By Senator Richter—

**SB 1756**—A bill to be entitled An act relating to pharmacy and dietary services at assisted living facilities; amending s. 429.42, F.S.; deleting obsolete provisions relating to a corrective action plan and a requirement that two pharmacists assist with inspections at assisted living facilities under certain conditions; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Bogdanoff—

**SB 1758**—A bill to be entitled An act relating to frozen desserts; repealing chapter 503, F.S., relating to the state's regulation of frozen desserts, enforcement and penalties for violations of such regulations, licensure of frozen dessert plants, and preemption of municipal and county regulations of frozen desserts; amending ss. 381.0014, 570.07, 570.40, 570.41, 570.50, and 570.51, F.S.; to conform; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Budget.

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By Senator Wise—

**SB 1760**—A bill to be entitled An act relating to infants born alive; creating s. 390.01112, F.S.; providing a short title; providing definitions; providing that an infant born alive subsequent to an abortion is entitled to the same rights, powers, and privileges as a child born alive in the course of a birth that is not subsequent to an abortion; providing a standard of care to be exercised by health care practitioners toward such a child; requiring health care practitioners to report violations; providing that violations may constitute grounds for discipline of health care practitioners under a specified provision; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Smith—

**SM 1762**—A memorial to the Congress of the United States, urging Congress to ban the sale, distribution, and possession of methylenedioxypyrovalerone (MDVP).

—was referred to the Committee on Health Regulation.

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By Senator Rich—

**SB 1764**—A bill to be entitled An act relating to corporate income taxes; amending s. 220.13, F.S.; limiting deductions of certain intangible expenses, licensing fees, and management fees paid by a taxpayer to a related entity; creating exceptions to the limitations on deductions; requiring the adjustment of the income of a related entity under certain circumstances; limiting the number of times certain items may be added or subtracted from taxable income; specifying information relating to transactions with related entities which must be contained in a corporate income tax return; providing that the failure of a taxpayer to add certain amounts to a taxpayer's income or to provide complete information in a tax return is negligence for which a penalty may be imposed; authorizing the Department of Revenue to adopt rules; specifying the applicability of the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Storms—

**SB 1766**—A bill to be entitled An act relating to proceedings to challenge the assessment of real property for the purposes of ad valorem taxation; amending s. 193.074, F.S.; deleting a provision authorizing

certain administrative bodies having quasi-judicial powers from authorizing the disclosure of confidential property tax returns; providing that the disclosure of a confidential property tax return without the written consent of the taxpayer may be grounds for removal from office; amending s. 194.011, F.S.; prohibiting the value adjustment board from considering certain evidence or documentation that was not timely disclosed; amending s. 194.034, F.S.; deleting a provision prohibiting a value adjustment board or special magistrate from considering certain evidence from a petitioner which was not timely provided to the property appraiser; amending s. 195.027, F.S.; authorizing the trier of fact in an administrative or judicial proceeding challenging the assessment of nonhomestead property from considering the financial records of a taxpayer which the taxpayer failed to disclose as previously required; requiring the property appraiser, the Department of Revenue, and the Auditor General to return a taxpayer's financial records within 10 days after receipt if requested by the taxpayer; requiring the taxpayer to be notified and receive an explanation of the purpose of sharing the taxpayer's financial records with certain entities authorized to have access to those records; providing for application of the act; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

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By Senator Diaz de la Portilla—

**SB 1768**—A bill to be entitled An act relating to local option fuel taxes; providing a short title; providing legislative findings; amending s. 336.025, F.S.; revising the definition of "transportation expenditures" for purposes of specified provisions that restrict the use of local option fuel tax funds by counties and municipalities; providing for severability; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; and Budget.

## BILLS REFERRED TO SUBCOMMITTEE

March 10, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Subcommittee on Health and Human Services Appropriations which will report to this standing committee within 60 days: CS for SB 94

Senator JD Alexander, Chair  
Committee on Budget

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March 10, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Subcommittee on Transportation, Tourism, and Economic Development Appropriations which will report to this standing committee within 60 days: SB 552 and CS for SB 782

Senator JD Alexander, Chair  
Committee on Budget

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March 10, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SB 1472, SB 1474, SB 1484, SB 1504, SB 1618, and SB 1400

Senator John Thrasher, Chair  
Committee on Rules

## COMMITTEE SUBSTITUTES

## FIRST READING

By the Committee on Criminal Justice; and Senators Bennett, Gaetz, and Dockery—

**CS for SB 138**—A bill to be entitled An act relating to military veterans convicted of criminal offenses; providing a short title; creating s. 921.00242, F.S.; providing that persons found to have committed criminal offenses who allege that the offenses resulted from posttraumatic stress disorder, traumatic brain injury, substance use disorder, or psychological problems stemming from service in a combat theater in the United States military may have a hearing on that issue before sentencing; providing that defendants found to have committed offenses due to such causes and who are eligible for probation or community control may be placed in treatment programs in certain circumstances; providing for sentence credit for defendants placed in treatment who would have otherwise been incarcerated; providing a preference for treatment programs that have histories of successfully treating such combat veterans; amending s. 948.08, F.S.; creating a pretrial veterans' treatment intervention program; providing requirements for a defendant to be voluntarily admitted to the pretrial program; providing certain exceptions to such admission; providing for the disposition of pending charges following a defendant's completion of the pretrial intervention program; providing for the charges to be expunged under certain circumstances; amending s. 948.16, F.S.; creating a misdemeanor pretrial veterans' treatment intervention program; providing requirements for voluntary admission to the misdemeanor pretrial program; providing for the misdemeanor charges to be expunged under certain circumstances; exempting treatment services provided by the Department of Veterans' Affairs or the United States Department of Veterans Affairs from certain contract requirements; providing an effective date.

By the Committee on Criminal Justice; and Senators Smith, Lynn, and Dockery—

**CS for SB 146**—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 943.0585, F.S.; clarifying under what circumstances a person may legally deny the existence of an expunged criminal history record; authorizing the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; requiring clerks of the court to post information relating to procedures to seal or expunge criminal history records on the clerk's website; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny the existence of a sealed criminal history record; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Latvala—

**CS for SB 364**—A bill to be entitled An act relating to child care facilities; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes; amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; amending s. 411.01, F.S., relating to school readiness programs; conforming a cross-reference; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Altman—

**CS for SB 366**—A bill to be entitled An act relating to public lodging and public food service establishments; providing a short title; amending s. 509.144, F.S.; revising definitions; providing additional penalties for

the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and where the owner or manager of the public lodging establishment signs an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term "contraband"; amending s. 509.032, F.S.; clarifying provisions relating to the preemption to the state of the regulation of public lodging and public food service establishments; amending s. 509.261, F.S.; providing for remedial training in response to a violation of laws or rules governing public lodging and public food service establishments; providing that the terms and provisions of the act do not affect or impede the provisions of a specified state statute or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

By the Committee on Health Regulation; and Senator Jones—

**CS for SB 398**—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.4062, F.S.; revising the requirements for obtaining a chiropractic medicine faculty certificate; amending s. 460.408, F.S.; authorizing the Board of Chiropractic Medicine to approve continuing education courses sponsored by chiropractic colleges under certain circumstances; prohibiting the board from approving the use of certain courses in continuing chiropractic education; amending s. 460.413, F.S.; requiring that a chiropractic physician preserve the identity of funds or property of a patient in excess of a specified amount; limiting the amount that may be advanced to a chiropractic physician for certain costs and expenses; amending s. 460.4165, F.S.; providing that services rendered by a certified chiropractic physician's assistant under indirect supervision may occur only at the supervising chiropractic physician's address of record; deleting the length of time specified for the basic program of education and training for certified chiropractic physician's assistants; amending s. 460.4166, F.S.; authorizing a registered chiropractic assistant to operate therapeutic office equipment; requiring a registered chiropractic assistant to register with the board effective April 1, 2012, and pay a fee for registration; requiring a registered chiropractic assistant to submit an initial application by March 31, 2012, or within 30 days after becoming employed, whichever is later; requiring an applicant to specify place of employment and supervising chiropractic physicians; requiring an application to be signed by a chiropractic physician who is an owner of the applicant's place of employment; providing an effective date of a registered chiropractic assistant's registration; authorizing who may supervise a registered chiropractic assistant; requiring a registered chiropractic assistant to notify to the board of his or her change of employment; requiring a chiropractic physician to sign the registered chiropractic assistant's notification of change in employment; requiring a registered chiropractic assistant's employer to notify the board when a registered chiropractic assistant is no longer employed by that employer; providing eligibility conditions for registering as a registered chiropractic assistant; requiring the biennial renewal of a registered chiropractic assistant's registration and payment of a renewal fee; requiring the board to adopt by rule forms for certain statutorily required applications and notifications; providing for the signature of certain forms and notices by specified owners and supervisors under certain conditions; amending s. 460.4167, F.S.; authorizing certain sole proprietorships, group practices, partnerships, corporations, limited liability companies, limited partnerships, professional associations, other entities, health care clinics licensed under part X of ch. 400, F.S., health maintenance organizations, or prepaid health clinics to employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide services authorized by ch. 460, F.S.; authorizing the spouse or adult children of a deceased chiropractic physician to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician's ownership interests under certain conditions; authorizing an employer that employs a chiropractic physician to exercise control over the patient records of the employed chiropractor; policies and decisions relating to pricing, credit, refunds, warranties, and advertising, and decisions relating to office personnel and hours of practice; deleting an obsolete provision; providing an effective date.

By the Committee on Health Regulation; and Senator Jones—

**CS for SB 490**—A bill to be entitled An act relating to financial responsibility for medical expenses of pretrial detainees or sentenced inmates; amending s. 901.35, F.S.; providing that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for a person who is ill, wounded, or otherwise injured during or as a result of an arrest for a violation of a state law or a county or municipal ordinance is the responsibility of the person receiving the medical care, treatment, hospitalization, or transportation; removing provisions establishing the order by which medical providers receive reimbursement for the expenses incurred in providing the medical services or transportation; amending s. 951.032, F.S.; setting forth the order by which a county or municipal detention facility may seek reimbursement for the expenses incurred during the course of treating or transporting in-custody pretrial detainees or sentenced inmates; requiring each in-custody pretrial detainee or sentenced inmate who receives medical care or other services to cooperate with the county or municipal detention facility in seeking reimbursement for the expenses incurred by the facility; setting forth the order of fiscal resources from which a third-party provider of medical services may seek reimbursement for the expenses the provider incurred in providing medical care; providing that, absent a written agreement between a third-party provider and a governmental body, the remuneration be billed by the third-party provider and paid by the governmental body at a rate not to exceed a specified percent of the Medicare allowable rate for the service rendered; requiring each in-custody pretrial detainee or sentenced inmate who has health insurance, subscribes to a health care corporation, or receives health care benefits from any other source to assign such benefits to the health care provider; defining the term “in-custody pretrial detainee or sentenced inmate”; providing that law enforcement personnel or county or municipal detention facility personnel are responsible for restricting the personal freedom of certain in-custody pretrial detainees or sentenced inmates; providing an effective date.

By the Committee on Health Regulation; and Senator Flores—

**CS for SB 584**—A bill to be entitled An act relating to massage therapy; amending s. 480.041, F.S.; requiring applicants to apply for a temporary permit upon forms prepared and furnished by the Department of Health in accordance with the Board of Massage Therapy's rules; authorizing the Board of Massage Therapy to issue temporary permits to applicants who meet certain qualifications to practice massage therapy; providing for the expiration of temporary permits; providing limitations; amending s. 480.044, F.S.; providing for a temporary permit fee; providing an effective date.

By the Committee on Criminal Justice; and Senator Evers—

**CS for SB 618**—A bill to be entitled An act relating to juvenile justice; repealing ss. 985.02(5), 985.03(48), 985.03(56), 985.47, 985.483, 985.486, and 985.636, F.S., relating to, respectively, legislative intent for serious or habitual juvenile offenders in the juvenile justice system, definitions of terms for a training school and the serious or habitual juvenile offender program, the serious or habitual juvenile offender program in the juvenile justice system, the intensive residential treatment program for offenders less than 13 years of age, and the designation of persons holding law enforcement certification within the Office of the Inspector General to act as law enforcement officers; amending s. 985.494, F.S.; requiring a child who is adjudicated delinquent, or for whom adjudication is withheld, to be committed to a maximum-risk residential program for an act that would be a felony if committed by an adult if the child has completed two different high-risk residential commitment programs; repealing s. 985.445, F.S., relating to cases involving grand theft of a motor vehicle committed by a child; amending ss. 985.0301, 985.47, and 985.565, F.S.; conforming references to changes made by the act; amending s. 985.66, F.S.; removing all references to the Juvenile Justice Standards and Training Commission; requiring the Department of Juvenile Justice to be responsible for staff development and training; specifying the duties and responsibilities of the department for staff development and training; removing obsolete provisions to conform to changes made by the act; repealing s. 985.48(8), F.S., relating to activities of the Juvenile Justice Standards and Training Commission with respect to training and treatment services for juvenile sexual offenders; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

**CS for SB 650**—A bill to be entitled An act relating to mobile home park lot tenancies; creating s. 723.024, F.S.; providing for local code and ordinance violations to be cited to the responsible party; prohibiting liens, penalties, fines, or other administrative or civil proceedings against one party or that party's property for a duty or responsibility of the other party; amending s. 723.061, F.S.; revising provisions relating to grounds and proceedings for eviction; revising procedures for mobile home owners being provided eviction notice due to a change in use of the land comprising the mobile home park or the portion thereof from which mobile homes are to be evicted; providing requirements of the park owner and requirements and rights of an applicable homeowners' association with respect to the sale of the mobile home park under a change in use eviction; deleting a provision relating to governmental action affecting the removal of mobile home owners; providing an effective date.

By the Committee on Regulated Industries; and Senator Ring—

**CS for SB 666**—A bill to be entitled An act relating to governmental reorganization; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Department of Gaming Control; transferring certain trust funds from the Department of Business and Professional Regulation to the Department of Gaming Control; amending s. 11.905, F.S.; providing for the review of the Department of Gaming Control; amending s. 20.165, F.S.; deleting the Division of Pari-mutuel Wagering within the Department of Business and Professional Regulation; creating s. 20.318, F.S.; establishing the Department of Gaming Control; designating the Governor and Cabinet as the Gaming Commission and head of the department; defining terms; specifying powers and duties of the department; authorizing the department to take testimony; authorizing the department to exclude persons from certain gaming establishments; authorizing the department to conduct investigations and collect fines; requiring the department to issue advisory opinions under certain circumstances; authorizing the department to employ law enforcement officers; requiring the department to assist the Department of Revenue for the benefit of financially dependent children; amending s. 120.80, F.S.; deleting certain exceptions and special requirements regarding hearings applicable to the Department of Business and Professional Regulation; creating certain exceptions and special requirements regarding hearings within the Department of Gaming Control; amending s. 285.710, F.S.; providing that the Department of Gaming Control is the state compliance agency for purposes of the Indian Gaming Compact; amending s. 455.116, F.S.; removing a trust fund from the Department of Business and Professional Regulation; amending ss. 550.002, 550.0115, 550.01215, 550.0235, 550.0251, 550.0351, 550.054, 550.0555, 550.0651, 550.0745, 550.0951, 550.09511, 550.09512, 550.09514, 550.09515, 550.105, 550.1155, 550.125, 550.135, 550.155, 550.1648, 550.175, 550.1815, 550.24055, 550.2415, 550.2614, 550.26165, 550.2625, 550.26352, 550.2704, 550.334, 550.3345, 550.3355, 550.3551, 550.3615, 550.375, 550.495, 550.505, 550.5251, 550.625, 550.6305, 550.6308, 550.70, 550.902, and 550.907, F.S.; conforming provisions to the transfer of the regulation of pari-mutuel wagering from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending ss. 551.102, 551.103, 551.104, 551.1045, 551.105, 551.106, 551.107, 551.108, 551.109, 551.112, 551.114, 551.117, 551.118, 551.121, 551.122, and 551.123, F.S.; conforming provisions to the transfer of the regulation of slot machines from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending s. 565.02, F.S.; providing for the licensure of caterers at a horse or dog racetrack or jai alai fronton by the Department of Gaming Control; amending s. 616.09, F.S.; providing for the Department of Gaming Control or the Department of Legal Affairs, to prosecute a fair association for illegal gambling activities; amending s. 616.241, F.S.; adding the Department of Gaming Control to the list of entities authorized to enforce the prohibitions against having certain games at interstate fairs and specialized shows; amending s. 817.37, F.S.; providing for the enforcement of prohibitions against touting by the Department of Gaming Control; amending s. 849.086, F.S.; providing for the regulation of cardrooms by the Department of Gaming Control; amending s. 849.094, F.S.; providing for the regulation of game promotions by the Department of Gaming

Control, rather than the Department of Agriculture and Consumer Services; deleting a reference to charitable nonprofit organizations; deleting a reference to the Department of Business and Professional Regulation to conform to changes made by the act; providing an effective date.

By the Committee on Transportation; and Senator Negron—

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**CS for SB 740**—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term “line-make vehicles” to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

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By the Committee on Transportation; and Senator Oelrich—

**CS for SB 886**—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising penalties for unlawful operation of a soundmaking device in a motor vehicle; providing that a second or subsequent violation is a moving violation and includes the assessment of points against the driver’s license; amending s. 318.18, F.S.; providing increased penalties for repeat violations within a certain time period; providing an effective date.

## ENROLLING REPORTS

SCR 1202 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on March 10, 2011.

*R. Philip Twogood, Secretary*

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 9 was corrected and approved.

## CO-INTRODUCERS

Senators Bennett—SB 524, SB 874, SB 1524; Bogdanoff—SB 722; Dockery—SB 664; Evers—SB 664; Gaetz—SB 302, SB 520, SB 524, SB 546, SM 852, SJR 1706; Garcia—SB 556, SB 630; Haridopolos—SB 998; Hays—CS for CS for SB 736, CS for SJR 958, SB 1972; Jones—SB 524; Negron—CS for SJR 958; Ring—SB 164; Sobel—SB 796, SB 1320; Storms—CS for SB 88

## RECESS

On motion by Senator Thrasher, the Senate recessed at 11:50 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, March 15 or upon call of the President.

# JOURNAL OF THE SENATE

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CR — Committee Report

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